



## Iowa Court Forms and Instructions for an

# Answer

## to an Application to Modify Child Support Only

Approved by the Iowa Supreme Court and State Court Administrator, Des Moines, IA

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- You may use the forms in this packet if:
    - You have **received** a copy of an **Application to Modify Child Support** from a person you either pay child support to -- or receive child support from -- and --
    - There is a current child support order from an Iowa court that says how much you pay or receive for child support.
  - You **must** use the forms in this packet if you do not have an attorney to help you with the case.
  - You **cannot** use these forms to change child **custody** or **visitation**.
  - Before you fill in a form, carefully read the form and instructions.
  - Read the *Guide to Representing Yourself in an Iowa Court in a Case to Modify Child Support Only* (included in this packet). It provides step-by-step instructions on which forms to use and how to file them.
  - After you read the instructions and *Guide*, if you still do not understand how to fill in or what to do with a form, you should **contact an attorney**.
  - Clerks and court staff are **not allowed to answer questions about these forms**.
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### Contents of this packet

1. A Guide to Representing Yourself in an Iowa Court in a Case to Modify Child Support Only
2. Tips on Handling Your Own Case in Iowa's Courts
3. Forms and instructions for a party who wants to file an **Answer** to an Application to Modify Child Support Only

**Form number** (FL = Family Law)

FL-315*	Answer to Application to Modify Child Support Only -- Use this if the Applicant uses FL-301
FL-316*	General Answer -- Use this if Applicant does not use form FL-301

4. Forms and instructions that **either party** may use in a case to modify child support only:

FL-322*	Motion
FL-323*	Response to a Motion
FL-324*	Child Support Financial Statement -- Each party <u>must</u> fill out one of these
FL-325	Affidavit of Mailing Notice
FL-326	Notice of Intent to File a Written Application for Default Decree
FL-327*	Request for Relief (Final Decree) in an Application to Modify Child Support Only
FL-328*	Settlement Agreement for Application to Modify Child Support (Use if both parties agree.)

**NOTE:** There is no final "Decree" form in this packet. A judge will complete the final "Decree."

\*Forms with an asterisk (\*) include an individual set of instructions in this packet.

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# ***A Guide to Representing Yourself in Iowa in a Case to Modify Child Support Only***

## **Things You Should Know Before Using Court Forms to Modify Child Support**

- **Please read this Guide carefully.** Even if you both agree, you must still go through several steps in the court process to modify child support. This Guide will help you get through each step.
- **The forms identified in this Guide are for changing child support only.** You cannot use these forms to change child custody, physical care, or visitation. If you want to change one of these, you should talk to an attorney.
- **If you are not sure what to do after reading this Guide, you should talk with an attorney.** An attorney can help you with all or just some of the steps in a case to modify child support.
- The term “**modification**” means “a change.” The “**Applicant**” is the person who files the first paper (an Application) to start a case to modify child support. In the original case the parties involved may have been Petitioner or Respondent. The “**Respondent**” is the person the case was filed against. You keep these titles for the rest of your case. The Applicant and others in the case are also called the “**parties**” involved in the case to modify child support.
- Part **E** of this Guide defines many other legal terms you need to know.
- Page 3 is a list of forms approved by the Iowa court system. You can get them from  
The Iowa court system's website at: **[www.iowacourts.gov](http://www.iowacourts.gov)**
- **Carefully read the specific instructions for each form.** You should also read: *Tips on Handling Your Own Case in Iowa's Courts*. It is available from the district court clerk or the state court website (see above).
- **Form numbers:** The official court forms are in Chapter 17 of the Iowa Court Rules. The official form numbers include three parts. For example, the “Application to Modify Child Support Only” is form “**FL-17.301**.” The **FL** stands for “Family Law;” **17** stands for Chapter 17 of the Iowa Court Rules; **301** is the actual form number. To make the Guide somewhat easier to use, the Guide does not include the **17** in the form numbers. They include just the **FL** and the form number. For example: **FL-301** is the Application to Modify Child Support Only.
- Whenever you file a paper at the district court clerk's office, you *must* deliver a copy of that paper to the other parties, or to the attorneys. You should also keep a copy for yourself. The only exceptions are the Confidential Information Form (**FL-303**) and the Civil Coversheet (**FL-302**). *Do not give a copy of these to the other person.*
- If the Child Support Recovery Unit (CSRU) is involved in your child support modification case, you must also mail a copy of each form you file to the CSRU office that serves the county where your child support case is filed. (See section **G** of this Guide for a list of the CSRU offices in Iowa.)
- It is illegal to sign another person's signature on any court form or other legal paper.
- **Court staff cannot give you legal advice.** They can tell you where to find a set of court forms and the written instructions for those forms. Almost everything else is up to you.
- **You cannot modify child support by publishing Notice.**

- The law says parents must support their children, whether the parents of a child live together or not.
- A person can ask the court to change child support if something changes so that the current amount is wrong.
- You can use the court forms to increase, decrease, or stop child support payments.
- You can use the forms to stop child support payments if you have been paying child support, but you now have custody of the child or children – or – if the child or children are no longer eligible to receive child support. (For example, the child turned 18 years of age and is no longer in school.)
- Child support can be set in a divorce decree. Child support can also be set in a custody lawsuit.
- The Child Support Recovery Unit (CSRU) can also file a case to set child support.
- Judges and CSRU use the income on charts called the Uniform Child Support Guidelines (Guidelines) to set support.
- To use the Guidelines, you have to know each parent’s “net monthly income” and how many children there are. The net monthly income is the gross income (before taxes are taken out) with some expenses subtracted.
- **The child support Guidelines must be used unless there is a very good reason for using a different amount.**
- You can use the child support estimator that CSRU has on its website to give you an estimate of support. The website is:  
**[https://dhssecure.dhs.state.ia.us/changechildsupport/asppages/CSChdEst\\_Dis.asp](https://dhssecure.dhs.state.ia.us/changechildsupport/asppages/CSChdEst_Dis.asp)**
- The child support laws are very complicated. They are in Chapters 252A to 252K of the *Code of Iowa*. You can find the *Code of Iowa* in public libraries – OR – at: **[www.legis.state.ia.us/IowaLaw.html](http://www.legis.state.ia.us/IowaLaw.html)** (click on “Merged Iowa Code and Supplement). Other statutes and rules also deal with child support, including Iowa Court Rules Chapter 9, on the Internet at: **<http://www.legis.state.ia.us/Rules2.html>**

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## List of Approved Court Forms & Instructions to Help Self-Represented Parties Modify Child Support Only\*

**Read These Two Guides Before Using Any Iowa Court Forms Listed Below.**

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|---|
| ● <b>A Guide to Representing Yourself in an Iowa Court in a Case to Modify Child Support Only</b> |
| ● <b>Tips on Handling Your Own Case in Iowa's Courts</b>  |

**Forms an Applicant can use to start the process to modify child support process:**

FL-301*	Application to Modify Child Support Only
FL-302*	Coversheet for an Application to Modify Child Support Only (Do not give to the other party)
FL-303	Confidential Information Form
FL-304*	Original Notice for Personal Service
FL-305*	Acceptance of Service of Original Notice
FL-306*	Directions for Service of Original Notice
FL-309*	Application and Affidavit to Defer Payment of Costs -- Optional: Use if you cannot afford to pay the court filing fees.

**Forms another party (a person who receives a copy of an Application to Modify Child Support) can use to answer the Application:**

FL-315*	Answer to Application to Modify Child Support Only -- Use this if the Applicant uses FL-301.
FL-316*	General Answer -- Use this if Applicant does <u>not</u> use form FL-301.

**Forms either party can use in a case to Modify Child Support Only:**

FL-322*	Motion -- Optional; use this to ask a judge to take some action in your case. See the instructions for this form.
FL-323*	Response to a Motion -- Use this if a party files a Motion (FL-322) and you disagree with something asked for in the Motion.
FL-324*	Child Support Financial Statement -- Each party must fill out one of these.
FL-325	Affidavit of Mailing Notice -- Applicant <i>must</i> file this if he or she asks the court for a Modification of Child Support Only default.
FL-326	Notice of Intent to File a Written Application for Default Decree -- Applicant uses this if the other party has not filed an Answer to the Application and the Applicant wants to ask the court for a final Decree.
FL-327*	Request for Relief (Final Decree) in an Application to Modify Child Support Only -- Either party can use this. Usually the Applicant uses this if the other party has not filed an Answer to the Application and the Applicant wants to move forward and ask the court to sign a Decree to Modify Child Support.
FL-328*	Settlement Agreement for Application to Modify Child Support Only (Use this if both parties agree.)

\*Includes a specific set of instructions

## **A. How to Begin an Application to Modify Child Support Only**

### **1. The Applicant must fill in and sign the forms required to start the process to modify child support.**

- You can get the forms and instructions from the Iowa court system's website at: **www.iowacourts.gov**
- Carefully read the specific instructions for each form. If you don't understand something, you should contact an attorney. *Do not contact court staff.*
- Type or print clearly on each form. You should use a blue ink pen to sign each form (if possible).

Here is a list of the four forms a self-represented Applicant *must* use to start the process:

Document #	Document name
<b>FL-301*</b>	<b>Application to Modify Child Support Only</b>
<b>FL-302*</b>	<b>Coversheet for an Application to Modify Child Support Only</b> ( <i>Do not give a copy to the other parties</i> )
<b>FL-303</b>	<b>Confidential Information Form</b> ( <i>Do <u>not</u> give a copy to the other parties.</i> )
<b>FL-304*</b>	<b>Original Notice for Personal Service</b>

\*NOTE: Each form with an asterisk [\*] includes a specific set of instructions.

The district court clerk in your county can tell you what the filing fee will be. If you think you cannot pay the court filing fee, the court might allow you file without prepaying the fee. To ask the court to allow you to file without prepaying the filing fee, fill in and file form **FL-309** (see below).

<b>FL-309*</b>	<b>Application and Affidavit to Defer Payment of Costs -- Optional:</b> Use this if you cannot afford to pay the court filing fees.
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\*Includes a specific set of instructions

### **2. Make photocopies of the forms you filled in.**

- **FL-301** and **FL-304**: Make four photocopies if you can deliver copies of these forms to the other parent or parties in-person or by mail. Make three photocopies if you are going to ask the county sheriff or a civil process server to deliver these forms to the other parent or party (See step 4, below.)
- **FL-302** and **FL-303**: You do not have to make photocopies of these forms.

*Note about making photocopies:* You should make your photocopies before you go to the courthouse to file your papers. It is expensive to make photocopies at the district court clerk's office. It's cheaper to make the copies at a business that makes photocopies or at a public library.

### **3. Take the original forms you filled -- and photocopies -- to the district court clerk's office in your county.** (See part **F** of this guide for the addresses of the district court clerks' offices.)

- Tell the clerk at the counter you are filing an Application to Modify Child Support Only.
- Give the clerk at the counter the original forms and the photocopies of these forms:
  - **FL-301** Application to Modify Child Support Only
  - **FL-302** Coversheet for an Application to Modify Child Support Only (*Do not make copies of this form*)

- **FL-303** Confidential Information Form (*Do not make copies of this form*)
- **FL-304** Original Notice

- Pay the filing fee – or file form **FL-309**. (See above.) The clerk at the counter can tell you the amount of the filing fee. (See the term “Fees” in part **E** of this guide for a list of the fees you might have to pay during the process.)
- The district court clerk will sign the Original Notice form **FL-304**. You will have to serve this form on (deliver it to) the other parent or party. (See step 4, below.)
- The clerk at the counter will time-stamp each of the copies (original and photocopies).

**4. Serve (deliver) the Original Notice **FL-304** and a copy of the Application **FL-301** on the other parent or party. Then file your “proof of service.”** (This is a paper that proves you delivered the Original Notice to the other parent or party.)

- You must notify the other parent.
- Some person other than a parent may get child support in your case, for example a grandparent or a sibling who is caring for the child.
- If someone else gets child support for your child, you have to give that person a copy of the Original Notice of the Application and copies of papers that you file.
- If the Child Support Recovery Unit (CSRU) is involved in your case, you must also serve CSRU a copy of the Original Notice **FL-304** and of the Application **FL-301**.

**IMPORTANT: The Applicant has 90 days after filing the Application at the district court clerk’s office to serve the Application on the other parent or party. If the Applicant fails to meet this deadline the Application to Modify Child Support Only will be dismissed.**

**a. Options for completing step 4 (above):** You have two options for serving the Original Notice and Application on the other parties:

**Option 1:** You can hand the forms to the other parties yourself – or send the forms to the other parties by regular mail. You must also get the other parties to sign an **FL-305** “Acceptance of Service” form. After the other party signs the Acceptance of Service form, you must:

- Make a photocopy of the Acceptance of Service form for your records – and –
- Take the original Acceptance of Service form (the one signed by the other party) to the district court clerk’s office. This meets the requirement for “proof of service.”

<b>FL-305*</b>	<b>Acceptance of Service of Original Notice</b> – Applicant uses this when the Applicant personally delivers the Original Notice and a copy of the Application to the other parties and the other parties are willing to sign the “Acceptance of Service” form.
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\*Includes a specific set of instructions

**Option 2:** You can ask the county sheriff or other civil process server to serve the forms on the other parties. (**Note:** If you filed an Application & Affidavit to Defer Costs **FL-309** and the court approved it, you *must* have the county sheriff serve the forms.)

If you choose option 2, you must fill in two forms: **FL-304** and **FL-306**

<b>FL-306*</b>	<b>Directions for Service of Original Notice</b> – Use this if you know where the other parties live or work, but you want the county sheriff or other civil process server to deliver the Application ( <b>FL-301</b> ) and Original Notice ( <b>FL-304</b> ) to the other parties
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\*Includes a specific set of instructions

- Give the county sheriff or other process server two copies of the:
  - Original Notice **FL-304**,
  - Application **FL-301**, and
  - Directions for Service **FL-306**.
- Tell him or her to deliver the Original Notice and Application to the other parties.
- The sheriff or other process server will file the “proof of service” with the district court clerk after you pay the service fee. If the court granted your Application to Defer Costs **FL-309**, the county sheriff *must* be the one who delivers the forms to the other parties.

**b. If the Child Support Recovery Unit (CSRU) is involved in your case**, you must serve CSRU a copy of the Original Notice **FL-304** and of the Application **FL-301**. You should also include an Acceptance of Service form **FL-305**. Mail copies of these three forms to the CSRU office that serves the county where your child support modification case is filed. CSRU offices are very busy. You should wait a reasonable number of days for CSRU to file the Acceptance of Service. Then check with the district court clerk’s office where the case is filed to learn whether the CSRU filed an Acceptance of Service form. If CSRU did not file an Acceptance of Service form, then you must have the Polk County Sheriff (in Des Moines) or a civil process server deliver the Original Notice **FL-304** and the Application **FL-301** to the Iowa Attorney General’s office in Des Moines. The addresses for all the CSRU’s regional offices, the Attorney General’s office, and the Polk County Sheriff’s office are at the end of section **G** of this Guide.

## **B. What the Other Parties Must Do After Receiving an Original Notice and Application to Modify Child Support Only**

### **1. Carefully read the papers served on you (an Application and Original Notice)**

- It is very important that you read the papers carefully so you understand what the Applicant is asking for. You might also receive other papers (court “orders”) that tell you about important things you must do as part of the process. Examples of these orders are:
  - Setting the date for the pretrial conference,
  - Requiring each party to give financial or other information to the court, or
  - Requiring attendance at mediation (in some counties)

### **2. Get an Answer form, fill it in, and make four photocopies.**

- Within 20 days after receiving a copy of the Application and Original Notice, you must file an Answer to the Application at the district court clerk’s office. You can get the forms you need from the Iowa judicial branch’s website at: [www.iowacourts.gov](http://www.iowacourts.gov)
- Almost every form comes with a specific set of instructions. You should *carefully read the instructions* for filling in the form. If you still don’t understand something after reading the instructions, you should contact an attorney.
- Use one of these forms to answer the Application:

<b>FL-315*</b>	<b>Answer to an Application to Modify Child Support Only</b> -- Use this to file an Answer if you received Application form <b>FL-301</b> .
<b>FL-316*</b>	<b>General Answer</b> -- Use this if you received an Application to Modify Child Support, but it was <b>not</b> form <b>FL-301</b> .

\*Includes a specific set of instructions

- Decide which form you need. Then do the following:
  - Fill out the form. Print clearly.

- Sign the form using blue ink (if possible).
- Make four photocopies of the original.

**3. Take your original Answer form and the photocopies to the district court clerk's office in the county where the Application was filed.** (The county is listed at the top of the Application form.)

- The clerk will time-stamp your forms and copies.
- The clerk will take the original one and give the copies back to you.
- Keep one of the copies for your records.

**4. Serve one of the copies of your Answer on each of the other parties.**

- You can hand one of the copies of the Answer form to the Applicant – OR – mail a copy to the Applicant at the address shown on the Application.
- If any of the other parties has an attorney, mail or deliver a copy to the attorney.
- **If the Child Support Recovery Unit (CSRU) is involved in your child support modification case**, you must also mail a copy to the CSRU office that serves the county where your child support modification case is filed. (The addresses for all CSRU offices in Iowa are in section **C** of this Guide.)

## **C. Next Steps**

Here is a list of forms that either the Applicant or other parties can use to complete the steps necessary to get a final Decree signed by a judge to modify child support.

<b>FL-322*</b>	<b>Motion</b> -- Use this to ask the court to do something in your case (optional); see instructions for this form.
<b>FL-323*</b>	<b>Response to a Motion</b> -- Use this if the other party filed a Motion <b>FL-322</b> and you disagree with something that person is asking for in the Motion.
<b>FL-324*</b>	<b>Child Support Financial Statement</b> -- Each party must fill out one of these forms.
<b>FL-325</b>	<b>Affidavit of Mailing Notice</b> -- Applicant <i>must</i> file this if he asks the court for a Decree by default.
<b>FL-326</b>	<b>Notice of Intent to File a Written Application for Default Decree</b> -- Applicant uses this form if the other party is "in default" --- which means he or she has not filed an Answer to the Application and the Applicant wants to ask the court to sign a Decree to Modify Child Support.
<b>FL-327*</b>	<b>Request for Relief (Final Decree) in an Application to Modify Child Support Only</b> -- Either party can use this. Usually the Applicant uses this if the other party has not filed an Answer to the Application and the Applicant wants to move forward and ask the court to sign a decree to Modify Child Support.
<b>FL-328*</b>	<b>Settlement Agreement for an Application to Modify Child Support Only</b> -- Use this if both parties agree on the child support amounts and other issues

\*Includes a specific set of instructions

**Other things parties can or *must* do before getting a final decree in the case.**

- All parties *must* complete a Child Support Financial Statement

Each parent must fill out, sign, and file a Child Support Financial Statement form **FL-324** at the district court clerk's office. This gives the court information about your income. You will *not* get a final Child Support Decree until you complete the Child Support Financial Statement.



- The Child Support Guidelines set the amount of child support. To use the Guidelines, you have to know each parent's "net monthly income" and how many children of the relationship the parent supports. The net monthly income is the gross income (before tax income) with taxes and some expenses subtracted. The Guidelines must be used unless there is a very good reason for using a different amount
- If the parties agree how to change child support, you *must* complete a Settlement Agreement **FL-328**.
  - Work together to fill it out and sign the form.
  - Make a photocopy for each person.
  - File the original Settlement Agreement form **FL-328** with the district court clerk.
- You may file a Motion for a Temporary Order (Optional).

You might need something that requires a temporary order from the court. If so, file a Motion **FL-322** with the district court clerk to ask the court for what you want.

- Make four copies of the Motion.
- Take the original and all copies to the district court clerk's office.
- The clerk will time-stamp your form and copies.
- The clerk will take the original one and give the copies back to you.
- Keep one of the copies for your records.
- Deliver a copy (by mail or in-person) to each of the parties or attorney – and the CSRU, if it is involved in the case. (See part B.4, above).
- The court might schedule a hearing on your Motion.

If another party files a Motion (see above) – and you disagree with what the other party is asking the court to do – you should fill in and file a Response to the Motion form **FL-323**. This form allows you to tell the court that you oppose the Motion. After you fill it in you must:

- Make four copies of the Motion.
- Take the original and all copies to the district court clerk's office.
- The clerk will time-stamp your form and copies.
- The clerk will take the original one and give the copies back to you.
- Keep one of the copies for your records.
- Deliver a copy (by mail or in-person) to each of the parties or attorney – and the CSRU, if it is involved in the case. (See part **B.4** above).
- If the court schedules a hearing on the Motion, the clerk's office will send you a notice telling you the date and time of the hearing.
  - You must go to the hearing.

- You might have to attend educational or mediation programs. (This varies by judicial district.)

## **D. Getting a Final Decree**

Child support is not changed until a judge signs a final Decree. A judge writes the final Decree.

You can get a final Decree by: (1) default, (2) written agreement, or (3) trial.

### **1. Modification of Child Support Decree by Default**

An Applicant can ask the court for a Decree by default if the other parties did not file an Answer within the 20-days after:

- The date the Original Notice **FL-304** and a copy of the Application **FL-301** were served on the other parties by the county sheriff or other civil process server. – OR –
- The date you filed the Acceptance of Service **FL-305** at the district court clerk's office.

If the other parties did not file an Answer within the 20-day period -- you can ask the court for a Decree by default. Before you can do that, you must first give 10 days notice in writing that you intend to ask the court for a Decree by default. To give 10 days notice, you must:

- Fill in and file **FL-326** (Notice of Intent to File a Written Application for a Default Decree).
    - Make four photocopies of this form.
    - Take the original and copies to the district court clerk's office.
    - The clerk will time-stamp your form and copies.
    - The clerk will take the original one and give the copies back to you.
    - Keep one of the copies for your records.
    - Promptly deliver a copy (by mail or in-person) to each of the parties or attorney – and the CSRU, if it is involved in the case. (See part B.4, above).
  - After you file and serve **FL-326**, wait 10 days. If the other party does not file an Answer within **10 days**, you can ask the court for a Decree by default. To do this, you should:
  - Fill in a Motion **FL-322** to set a hearing date. On the Motion form, check item C.2.b. ("Set a hearing date for a modification of child support Decree by default.").
    - Make four copies of the form.
    - Take the original and copies to the district court clerk's office.
    - The clerk will time-stamp your form and copies.
    - The clerk will take the original one and give the copies back to you.
    - Keep one of the copies for your records.
    - Promptly deliver a copy (by mail or in-person) to each party or the party's attorney – and to the CSRU, if it is involved in the case. (See part **B.4.** (above) and part **G.** for a list of CSRU offices in Iowa.)
  - The district court clerk will let you know the date, time, and location of the hearing.
- Before you go to the hearing:
    - Fill in a "Request for Relief" **FL-327**. This form tells the judge what you want
      - Make four photocopies of the original form.
      - Take the papers to the district court clerk's office.
      - The clerk will time-stamp your form and copies.
      - The clerk will take the original one and give the copies back to you.
      - Keep one of the copies for your records.
      - Deliver a copy (by mail or in-person) to each of the parties or attorney – and the CSRU, if it is involved in the case. (See part **G.** for a list of CSRU offices in Iowa.)
      - Bring the original form and your photocopy with you to the hearing.
    - Read: *Tips on Handling Your Own Case in Iowa's Court* (available at the district court clerk's office and on the judicial branch website at: [www.iowacourts.gov](http://www.iowacourts.gov))
    - On the date of your hearing, go to the courthouse early and ask the district court clerk if the file for your case has been delivered to the judge
  - At the hearing:
    - Be on time. Follow the advice in: *Tips on Handling Your Own Case in Iowa's Courts.*
    - Bring your copy of the completed Financial Statement **FL-324** The original should be completed and filed with the clerk.
    - Give the judge the original copy of your "Request for Relief" **FL-327**
  - After the hearing:
    - If the judge determines that your case is ready for a Decree, the judge will fill out a final Decree and file it at the district court clerk's office. The district court clerk will either give you

a copy or mail a copy to you.

## **2. Modification of Child Support by Written Agreement**

If you and the other party agree on how to change child support, you can work together to fill in a Settlement Agreement form **FL-328**. After you complete the form, you should:

- Make four photocopies of the original (one copy for each party).
  - Take the original Settlement Agreement (the one with your original signatures) to the district court clerk's office. Ask the clerk to time-stamp the original and all copies. The clerk will keep the original and give you the copies.
  - Ask the district court clerk when a judge can meet with you about your Settlement Agreement. Because most courts have very busy schedules, it might be one week (or more) before you can meet with a judge. The clerk will tell you or mail you a notice with the date and time when you can meet with the judge.
  - Soon after you leave the clerk's office, deliver a copy (by mail or in-person) to each of the parties or the other party's attorney – and the CSRU, if it is involved in the case. (See part **B.4.** (above) and part **G.** for a list of CSRU offices in Iowa.)
  - Keep a copy for your own records.
- Before you see the judge:
    - Ask the clerk if the judge has your case file.
    - Read: *Tips on Handling Your Own Case in Iowa's Courts*. (This is available at the district court clerk's office and on the judicial branch website at: [www.iowacourts.gov](http://www.iowacourts.gov))
  - When you see the judge:
    - Be on time. Follow the advice in: *Tips on Handling Your Own Case in Iowa's Courts*.
    - Bring (1) a completed Child Support Financial Statement **FL-324** (it should already be in the court file) – and (2) the original Settlement Agreement **FL-328** signed by you and the other parties.
    - The judge will probably ask you some questions about your Settlement Agreement.
  - After you see the judge:
    - If the judge decides your case is ready for a Decree, the judge will fill out a final Decree and file it at the district court clerk's office. The district court clerk will either give you a copy or mail a copy to you.

## **3. Modification of Child Support Decree after Trial**

If the other parties and you do not agree on how to change the child support, ask the district court clerk how you can have your case scheduled for trial. Follow the district court clerk's instructions. You may need to file a Motion **FL-322** to have a hearing set.

- Before you go to court for the trial:
  - Read: *Tips on Handling Your Own Case in Iowa's Courts*.
  - Prepare to tell the judge what you want.
  - Each party should complete a separate "Request for Relief" form **FL-327**.
- When you appear before the judge at trial:
  - Be on time. Follow the advice in: *Tips on Handling Your Own Case in Iowa's Courts*
  - Bring copies of:
    - The "Request for Relief" form **FL-327**. (Each party should have completed his or her own form.)
    - The "Child Support Financial Statement" form **FL-324**.
    - Any other forms and papers you and the other parties filed with the district court clerk.

- The judge will ask questions about the issues you disagree about. The judge will make a final decision on child support.
- After the hearing:
  - The judge will fill out and sign a final Decree and deliver it to the district court clerk's office. The district court clerk will either give you a copy or mail a copy to you.

## **E. Terms Used in the Court Process**

**Acceptance of Service:** **FL-305** This is a paper the other party can sign to acknowledge (admit) that he or she has received a copy of the Application to Modify Child Support Only and Original Notice from the Applicant. Signing this paper does not mean the other party agrees to the modification or anything else that is in the Application. (Note: the county sheriff or other civil process server does not need to serve the Application and Original Notice if the other party signs this Acceptance of Service.)

**Answer:** **FL-315** or **FL-316** The other parent or party uses this paper to respond to what the Applicant asks for in the Application.

**Applicant:** The person who files an **Application to Modify Child Support Only** (**FL-301**) to ask the court to change a child support order.

**Application and Affidavit to Defer Payment of Costs:** **FL-309** This is a paper that asks the court for an order to allow you to file the Application with the district court clerk without paying the filing fee at that time. You might be required to pay the fee later.

**Application to Modify Child Support Only:** **FL-301** is the paper filled in by an **Applicant** (the person asking the court to change the child support). It asks for a change only in child support, **not** a change in custody or visitation. It is the first paper filed in court to begin a case to change child support. It gives the court information about the parties involved in the case; and it tells the court what the Applicant wants the court to do. See instructions for form **FL-301**.

**Child Support:** Money paid to the parent or other person for the support of children.

**Child Support Financial Statement:** **FL-324** provides information to the court about your income. This form is available from the district court clerk and on the Iowa judicial branch website at: [www.iowacourts.gov](http://www.iowacourts.gov)

**Child Support Recovery Unit (CSRU):** This is a state agency that helps custodial parents obtain child support orders and collect child support payments. If the CSRU is involved in your case, you must mail a copy of any form or document you file to the CSRU. See section **G** of this Guide for a list of the CSRU offices in Iowa.

**Cover Sheet:** **FL-302** is a form available from the district court clerk. It identifies the type of lawsuit you have filed (Application to Modify Child Support Only).

**Confidential Information Form:** **FL-303**. This is information required by Iowa law. It is not a public record.

**Decree of Modification of Child Support:** A paper signed by the judge that changes your child support. By getting together with the other parties and filling out a Settlement Agreement **FL-328**, you can tell the judge what you both want the final Decree to say. If you and the other parties do not agree, you can tell the judge what you want the final Decree to say by filling out a Request for Relief **FL-327**. But the judge will always make the final decision on what the Decree will say.

**Default:** A ruling by the court that a party (or you) did not do something that was required during the process. For example, the judge could enter a default judgment if the other party did not file an Answer after receiving an Original Notice. Once the court enters a judgment of default, the court may then issue other orders, including an order to Modify Child Support. See forms **FL-326** and **FL-327**, which can be used to

get a “Decree by Default” (see p. 7 of this guide).

**Directions for Service of Original Notice:** **FL-306** A paper which gives information to the county sheriff or other civil process server on how and where to serve the Application on the other parties.

**Discovery:** The parties give each other information (usually in writing) which explains the facts about child support.

**Fees:** Money you must pay to the district court clerk when you file your Application and at other times.  
(NOTE: The fees listed below are set by the state legislature, which sometimes changes the fees.)

1. **Court fees** are paid to the district court clerk in the county where the case is filed.
  - a) Filing fee to start a case
  - b) Court reporting fee for each hearing in court

Note on payment of court fees: At the end of your case the court can determine, or the parties can agree, who will pay the fees. This would include the filing fee, court fees, service fees and costs of things such as a subpoena or a deposition.

2. **Service fees:** Money you must pay to a process server, such as the county sheriff, to serve an Original Notice. (The amount varies by county.)

**File:** This word has two meanings:

- It is the act of giving something in writing to the district court clerk. The clerk will stamp the date and time that a filed document was received by the district court clerk.
- It also means the folder(s) in which the district court clerk places the documents for a court case.

**Gross Monthly Income:** This is the total of your income before subtracting for anything else, such as taxes, retirement account contributions, health insurance, etc.

**Guardian Ad Litem:** A person, usually an attorney, appointed to look out for the interests of someone in a lawsuit. For example, a guardian ad litem might be appointed for a child or someone who is in prison.

**Local Rules:** Each court has local rules which must be considered while processing your case. The district court clerk can provide you with copies of the local rules. They are also available on the website of the Iowa state courts at: [www.iowacourts.gov](http://www.iowacourts.gov)

**Motion:** **FL-322** is a paper in which one of the parties asks the court to order something to be done while a case is going on. For example, a party might ask to schedule a hearing.

**Net Monthly Income:** This is the amount of income which you have available to spend after the deductions from your gross monthly income. Your net monthly income might be the net amount of your paycheck.

**Order:** A paper signed by the judge telling a party or both parties to do something.

**Original Notice:** **FL-304** A paper prepared by the Applicant and signed by the district court clerk. The Applicant serves this paper on the other parties along with the Application. This tells the other party that the Applicant has filed an Application to Modify Child Support Only. See Instructions for Original Notice **FL-304**.

**Party:** This refers to a person, agency, or business in a court case. In a case to modify child support, you and the other people in the case are the “parties” in the lawsuit.

**Petition:** The first paper filed in court to start a new civil or family law case. In a divorce (dissolution of marriage), it gives the court information about the parties involved in the case and asks the court to end the

marriage.

**Petitioner:** The person who files the Petition to start a family law or other civil case in court.

**Pro se** (pronounced “pro say”): This is a Latin term, which means “for or on behalf of oneself.” It is used to describe a person who handles his or her own court case with little or no assistance from an attorney (a *pro se* party). A *pro se* party is sometimes called a *self-represented* party.

**Process Server:** This is a person, other than you, who personally delivers a paper to the other parties. Often this process server is the county sheriff, but it may be another person who delivers legal papers. See “Service” (below).

**Respondent:** The person who receives a Petition in a **new** court case. In a case to Modify Child Support, the person who receives a copy of the Application to Modify Child Support is the “Respondent” in the case to modify child support.

**Return of Service:** In this paper, the county sheriff or civil process server tells the court that the other party has received a copy of the Application and the Original Notice, or some other paper.

**Self-represented Party:** This refers to a person who handles his or her own court case with little or no assistance from an attorney. A self-represented party is sometimes called a “pro se” (pronounced “pro say”) party.

**Serve (Service):** To give the other parties a copy of a paper, like the Application and Original Notice. Some papers must be given in-person and some papers can be sent by mail.

- **Personal Service:** This is where a paper (legal document) is delivered to a party in a court case by a sheriff or other civil process server. See forms **FL-305** (Acceptance of Service) and **FL-306** (Directions for Service).
- **Mailed Service:** This is where a paper (legal document) is delivered through the mail to a party in a court case to that party’s last known address.

**Settlement Agreement:** A paper with the final agreement between you and the other parties on how to settle the child support. It is filed with the district court clerk and then given to the judge. The Settlement Agreement (**FL-328**) will include the details of the modification of child support, if the judge agrees.

<b>F. District Court Clerks' Offices in Each County in Iowa</b> (Updated: December 12, 2006)
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<u>County</u> (District)	<u>Mailing Address</u>	<u>Phone #</u>
Adair (5B)	400 Public Square, PO Box L, Greenfield 50849.....	641-743-2445
Adams (5B)	500 9th St., Corning 50841.....	641-322-4711
Allamakee (1A)	110 Allamakee Street, PO Box 248, Waukon 52172....	563-568-6351
Appanoose (8A)	PO Box 400, Centerville 52544.....	641-856-6101
Audubon (4)	318 Leroy Street #6, Audubon 50025.....	712-563-4275
Benton (6)	111 E 4th Street, PO Box 719, Vinton 52349.....	319-472-4205
Black Hawk (1B)	P.O. Box 9500, Waterloo 50704-9500.....	319-833-3331
Boone (2B)	201 State Street, Boone 50036.....	515-433-0561
Bremer (2A)	415 E Bremer Avenue, PO Box 328, Waverly 50677....	319-352-5661
Buchanan (1B)	210 - 5th Ave NE, PO Box 259, Independence 50644..	319-334-2196
Buena Vista (3A)	215 E Fifth Street, PO Box 1186, Storm Lake 50588....	712-749-2546
Butler (2A)	428 Sixth Street, Box 307, Allison 50602.....	319-267-2487
Calhoun (2B)	416 Fourth St, Rockwell City 50579.....	712-297-8122
Carroll (2B)	Sixth and Main Streets, PO Box 867, Carroll 51401....	712-792-4327
Cass (4)	Five West Seventh Street, Atlantic 50022.....	712-243-2105
Cedar (7)	400 Cedar St., PO Box 111, Tipton 52772.....	563-886-2101
Cerro Gordo (2A)	220 North Washington, Mason City 50401.....	641-424-6431
Cherokee (3A)	520 West Main Street, Cherokee 51012.....	712-225-6744
Chickasaw (1B)	8 East Prospect, PO Box 467, New Hampton 50659...	641-394-2106
Clarke (5B)	100 S. Main, Osceola 50213.....	641-342-6096
Clay (3A)	215 West Fourth Street, Spencer 51301-3890.....	712-262-4335
Clayton (1A)	111 High Street NE, PO Box 418, Elkader 52043.....	563-245-2204
Clinton (7)	612 N Second Street, PO Box 2957, Clinton 52732....	563-243-6210
Crawford (3B)	1202 Broadway, Denison 51442.....	712-263-2242
Dallas (5A)	801 Court Street, Adel 50003.....	515-993-5816
Davis (8A)	100 Courthouse Square, Bloomfield 52537.....	641-664-2011
Decatur (5B)	207 North Main Street, Leon 50144.....	641-446-4331
Delaware (1A)	301 E Main Street, PO Box 527, Manchester 52057....	563-927-4942
Des Moines (8B)	513 North Main St, PO Box 158, Burlington 52601.....	319-753-8272
Dickinson (3A)	1802 Hill Ave. Suite 2506, Spirit Lake 51360.....	712-336-1138
Dubuque (1A)	P.O. Box 1220, Dubuque 52004-1220.....	563-589-4418
Emmet (3A)	609 First Avenue North, Estherville 51031-2194.....	712-362-3325
Fayette (1B)	114 North Vine St, PO Box 458, West Union 52175....	563-422-5694
Floyd (2A)	101 South Main Street, Charles City 50616.....	641-228-7777
Franklin (2A)	12 First Avenue NW, PO Box 28, Hampton 50441.....	641-456-5626
Fremont (4)	Square, PO Box 549, Sidney 51652.....	712-374-2232
Greene (2B)	114 North Chestnut, Jefferson 50129-2144.....	515-386-2516
Grundy (1B)	706 G Ave, Grundy Center 50638.....	319-824-5229
Guthrie (5A)	200 North Fifth Street, Guthrie Center 50115.....	641-747-3415
Hamilton (2B)	PO Box 845, Webster City 50595-0845.....	515-832-9600
Hancock (2A)	855 State Street, PO Box 70, Garner 50438.....	641-923-2532
Hardin (2B)	Pioneer Plaza, PO Box 495, Eldora 50627.....	641-858-2328
Harrison (4)	111 N. 2nd Avenue, Logan 51546.....	712 644-2665
Henry (8B)	100 E Washington, PO Box 176, Mt Pleasant 52641....	319-385-2632
Howard (1B)	137 North Elm Street, Cresco 52136.....	563-547-2661
Humboldt (2B)	PO Box 100, Dakota City 50529.....	515-332-1806
Ida (3B)	401 Moorehead Street, Ida Grove 51445.....	712-364-2628
Iowa (6)	901 Court Avenue, PO Box 266, Marengo 52301.....	319-642-3914
Jackson (7)	201 West Platt Street, Maquoketa 52060.....	563-652-4946
Jasper (5A)	101 First Street North, Room 104, Newton 50208.....	641-792-3255
Jefferson (8A)	51 West Briggs, Fairfield 52556.....	641-472-3454
Johnson (6)	417 S Clinton St, PO Box 2510, Iowa City 52240.....	319-356-6060
Jones (6)	Main Street, PO Box 19, Anamosa 52205.....	319-462-4341
Keokuk (8A)	101 South Main Street, Sigourney 52591.....	641-622-2210
Kossuth (3A)	114 West State Street, Algona 50511.....	515-295-3240
Lee (8B)	25 North 7 <sup>th</sup> Street, Keokuk 52632.....	319-524-2433
Lee (8B)	701 Avenue F, Fort Madison 52627.....	319-372-3523
Linn (6)	Third Ave Bridge, PO Box 1468, Cedar Rapids 52406	319-398-3411

## District Court Clerks' Offices in Each County in Iowa (continued)

<b>County</b> (District)	<b>Mailing Address</b>	<b>Phone #</b>
Louisa (8B).....	P.O. Box 268, Wapello 52653.....	319-523-4541
Lucas (5B).....	916 Braden Avenue, Chariton 50049.....	641-774-4421
Lyon (3A).....	206 South Second St, Rock Rapids 51246.....	712-472-2623
Madison (5A).....	PO Box 152, Winterset 50273.....	515-462-4451
Mahaska (8A).....	106 South 1st Street, Oskaloosa 52577.....	641-673-7786
Marion (5A).....	PO Box 497, Knoxville 50138.....	641-828-2207
Marshall (2B).....	17 East Main Street, Marshalltown 50158.....	641-754-1603
Mills (4).....	418 Sharp Street, Glenwood 51534.....	712-527-4880
Mitchell (2A).....	508 State Street, Osage 50461-1250.....	641-732-3726
Monona (3B).....	610 Iowa Avenue, Onawa 51040.....	712-423-2491
Monroe (8A).....	10 Benton Avenue East, Albia 52531.....	641-932-5212
Montgomery (4).....	105 Coolbaugh Street, PO Box 469, Red Oak 51566...	712-623-4986
Muscatine (7).....	401 East 3rd Street, PO Box 8010, Muscatine 52761...	563-263-6511
O'Brien (3A).....	155 South Hayes Avenue, Primghar 51245.....	712-957-3255
Osceola (3A).....	300 Seventh Street, PO Box 156, Sibley 51249-0156..	712-754-3595
Page (4).....	112 East Main St, PO Box 263, Clarinda 51632.....	712-542-3214
Palo Alto (3A).....	1010 Broadway, Emmetsburg 50536.....	712-852-3603
Plymouth (3B).....	215 Fourth Avenue SE, LeMars 51031-2194.....	712-546-4215
Pocahontas (2B).....	99 Court Square, Pocahontas 50574.....	712-335-4208
Polk (5C).....	500 Mulberry Street, Room 212, Des Moines 50309...	515-286-3772
Pottawattamie (4).....	227 S. 6th Street, PO Box 476, Council Bluffs 51502...	712-328-5604
Poweshiek (8A).....	302 East Main Street, Montezuma 50171.....	641-623-5644
Ringgold (5B).....	PO Box 523, Mount Aie 50854.....	641-464-3234
Sac (2B).....	PO Box 368, Sac City 50583.....	712-662-7791
Scott (7).....	400 West Fourth Street, Davenport 52801.....	563-326-8648
Shelby (4).....	612 Court Street, PO Box 431, Harlan 51537.....	712-755-5543
Sioux (3B).....	PO Box 47, Orange City 51041-0047.....	712-737-2286
Story (2B).....	1315 South B Ave, PO Box 408, Nevada 50201.....	515-382-7410
Tama (6).....	100 West High Street, PO Box 306, Toledo 52342.....	641-484-3721
Taylor (5B).....	403 Jefferson St, PO Box 306, Bedford 50833.....	712-523-2095
Union (5B).....	300 North Pine, Creston 50801.....	641-782-7315
Van Buren (8A).....	Fourth & Dodge, Keosauqua 52565.....	319-293-3108
Wapello (8A).....	101 West Fourth Street, Ottumwa 52501.....	641-683-0060
Warren (5A).....	PO Box 379, Indianola 50125.....	515-961-1033
Washington (8A).....	PO Box 391, Washington 52353.....	319-653-7741
Wayne (5B).....	Town Sq, PO Box 435, Corydon 50060.....	641-872-2264
Webster (2B).....	701 Central Avenue, Fort Dodge 50501.....	515-576-7115
Winnebago (2A).....	126 South Clark St., Ste. 6, Forest City 50436.....	641-585-4520
Winneshiek (1A).....	201 West Main Street, Decorah 52101.....	563-382-2469
Woodbury (3).....	620 Douglas, Room 101, Sioux City 51101.....	712-279-6611
Worth (2A).....	1000 Central Ave, Northwood 50459.....	641-324-2840
Wright (2B).....	115 North Main Street, PO Box 306, Clarion 50525.....	515-532-3113



## **G. Child Support Recovery Unit (CSRU) Offices in Iowa**

**Important:** If the CSRU is involved in your child support modification case you must mail copies of legal papers or forms you file in your child support case to the CSRU office that serves the county where your child support modification case is filed.

**If you have questions, call CSRU toll free: 1-888-229-9223 (weekdays 8:00 a.m. to 5:00 p.m.).**

Additional information is available on this website: <https://childsupport.dhs.state.ia.us/welcome.asp>

### **Burlington**

Child Support Recovery Unit  
409 N. 4th St.  
Burlington, IA 52601-5245

**Counties:** Des Moines, Henry, Lee, Louisa

### **Carroll**

Child Support Recovery Unit  
625 N. West St.  
Carroll, IA 51401

**Counties:** Audubon, Carroll, Crawford, Greene, Guthrie, Sac, Shelby

### **Council Bluffs**

Child Support Recovery Unit  
300 W. Broadway, Ste. 32  
Council Bluffs, IA 51503

**Counties:** Fremont, Harrison, Mills, Montgomery, Page, Pottawattamie, Taylor

### **Cedar Rapids**

Linn County Child Support Recovery Unit  
411 3rd St. S.E., Ste. 200  
Cedar Rapids, IA 52404-1811

**Counties:** Linn

### **Cedar Rapids** (Surrounding Linn County)

Child Support Recovery Unit  
411 - 3rd St. S.E., Ste. 600  
Cedar Rapids, IA 52401-1805

**Counties:** Benton, Iowa, Johnson, Jones

### **Clinton**

Child Support Recovery Unit  
121 6th Ave., PO Box 1175  
Clinton, IA 52733-1175

**Counties:** Cedar, Clinton, Jackson

### **Creston**

Child Support Recovery Unit  
215 W. Adams  
Creston, IA 50801

**Counties:** Adair, Adams, Cass, Clarke, Decatur, Ringgold, Union

### **Davenport**

Child Support Recovery Unit  
3911 W. Locust  
Davenport, IA 52804-3021

**Counties:** Muscatine, Scott

### **Decorah**

Child Support Recovery Unit  
317 Washington St., Ste. 2  
Decorah, IA 52101

**Counties:** Allamakee, Chickasaw, Clayton, Fayette, Howard, Winneshiek

### **Des Moines**

Child Support Recovery Unit  
1901 Bell Ave., Ste. 14  
Des Moines, IA 50315

**Counties:** Boone, Dallas, Jasper, Madison, Marion, Polk, Story, Warren

### **Dubuque**

Child Support Recovery Unit  
960 Main St.  
Dubuque, IA 52001-6709

**Counties:** Dubuque

### **Fort Dodge**

Child Support Recovery Unit  
330 1st Ave. No.; PO Box 1530  
Fort Dodge, IA 50501

**Counties:** Calhoun, Hamilton, Humboldt, Pocahontas, Webster, Wright

*Continued on the next page*

## Child Support Recovery Unit (CSRU) Offices in Iowa (Continued)

### **Marshalltown**

Child Support Recovery Unit  
204 1/2 W. State St., PO Box 755  
Marshalltown, IA 50158

**Counties:** Grundy, Hardin, Marshall, Poweshiek,  
Tama

### **Ottumwa**

Child Support Recovery Unit  
127 E. Main, Ste. 100  
Ottumwa, IA 52501-2915

**Counties:** Appanoose, Davis, Jefferson, Keokuk,  
Lucas, Mahaska, Monroe, Van Buren, Wapello,  
Washington, Wayne

### **Spencer**

Child Support Recovery Unit  
20 W. 6th St., Ste. 200  
Spencer, IA 51301

**Counties:** Clay, Dickinson, Emmet, Lyon,  
O'Brien, Osceola, Palo Alto, Sioux

### **Mason City**

Child Support Recovery Unit  
Mohawk Square, 22 N. Georgia  
Mason City, IA 50401

**Counties:** Cerro Gordo, Floyd, Franklin,  
Hancock, Kossuth, Mitchell, Winnebago, Worth

### **Sioux City**

Child Support Recovery Unit  
520 Nebraska St., Ste. 218  
Sioux City, IA 51101

**Counties:** Buena Vista, Cherokee, Ida, Monona,  
Plymouth, Woodbury

### **Waterloo**

Child Support Recovery Unit  
501 Sycamore St., Ste. 400; PO Box 7200  
Waterloo, IA 50704-7200

**Counties:** Black Hawk, Bremer, Buchanan,  
Butler, Delaware

## Other Addresses You Might Need For Serving Notice on the CSRU

See page 3 of the instructions for forms **FL-304/ 305 / 306**. If CSRU office did not file an Acceptance of Service form, then you must have the Polk County Sheriff in Des Moines (see address below) or a civil process server deliver the Original Notice **FL-304** and the Application **FL-301** to the Iowa Attorney General's office in Des Moines (see address below).

### **Iowa Attorney General's Office**

1305 E. Walnut  
Des Moines IA 50319

Phone: 515-281-5164

### **Polk County Sheriff's Office**

206 6<sup>th</sup> St., Suite 112  
Des Moines, IA 50309

Phone: 515-286-3800

# ***Tips on Handling Your Own Case in Iowa's Courts***

## **1. Judges and court staff cannot give you legal advice.**

- They cannot tell you whether you should file a case, what you should put in your papers, or what you should say or ask in court. Why? Because:
  - Judges and court staff must not take sides in any case. It would be unfair for judges or court staff to give one person an advantage over another person in a court case.
  - If court staff gives you advice and it turns out to be wrong, you could lose your case.

## **2. Court staff cannot:**

- Tell you what you should do about anything involving your court case. They cannot tell you;
  - Whether you should file a specific paper.
  - What words or phrases you should use in a paper.
  - What persons you should file a lawsuit against.
  - How much money to ask the other party for.
  - What questions to ask witnesses or other parties.
  - Whether to appeal a judge's decision.
  - How to fill in a form for a person involved in a case. [Exception: If a person has a physical disability or cannot read or write, and the person explains the disability to a clerk, then the clerk may fill in the form. However, the clerk must write down *only* the exact words provided by the person who requested help.]
- Tell you the meaning of laws or court decisions.
- Perform legal research for a person involved in a court case.
- Predict the outcome of a case, a paper filed, or some other action in a case.

## **3. Court staff can:**

- Provide public information contained in: dockets, calendars, case files, indexes, and reports.
- Show or tell where to find laws or rules.
- Identify approved court forms that might meet the needs of a person who doesn't have an attorney.
- Answer questions about where to write in particular types of information on court forms -- but not what words to use when filling in the forms.
- Define terms commonly used in court.
- Provide phone numbers for lawyer referral services.

## **4. You cannot talk to the judge unless all parties and attorneys are present.**

- You cannot communicate with the judge about your case by email or regular mail – unless you send copies of your email or regular mail to the other people involved in your case.
- You cannot talk with the judge about your case by telephone or in-person unless all other parties are on the phone at the same time or in the same room together.
- This rule is important because it prevents a person or an attorney from giving information to a judge that the other side does not know about. This would be unfair to the other side.
- If you want to give the judge information you think is important for your case – or you want the judge to take some action related to a case – you must:
  - Put the request in writing. (See approved Iowa court forms for examples of how to do this.)
  - Make enough copies for you and all the other parties.
  - Take the papers to the district court clerk's office. The clerk will stamp each copy and keep one.
  - Deliver a copy to each of the other parties or their attorneys. Keep a copy for yourself.

## **5. Be prepared**

- Keep copies of all the papers you file in court and the ones you get from the other party.
- Know what evidence you need to prove your case. If possible, ask an attorney what you need to do before you go to court and what to do at the court hearing.
- Bring papers and witnesses that will help you win your case.
- Bring at least three copies of each document you want to use as evidence — one for you, one for the other party, and one for the judge.

----- Continued on page 2 -----

- If a witness refuses to come to court to testify, you can ask the court to issue a subpoena (pronounced “suh - peena.”) It’s an order requiring a person to come to court. Be sure to ask the clerk’s office for a subpoena several days before your court hearing.
- Bring physical evidence, if there is any. This might include a canceled check, contract, or invoice. If your case involves damaged property, bring the damaged item or a photograph of it.

## **6. Be on time**

- If you are not in court when your case is called, and the other party is present, the judge might enter a judgment against you.
- If neither party is on time, your case might be skipped. You might have to wait until the very end of the court session that day before your case is called again. Or you might even have to come back on another day -- possibly a few weeks later.

## **7. Know and follow court rules**

- Judges cannot make exceptions for people without attorneys. You could lose your case if you do not follow the correct procedures.
- When you file a paper at the district court clerk’s office, you must mail or deliver a copy of that paper to the other party (or parties) or the other party’s attorney. Always keep a copy for your records.

## **8. Be courteous and respectful**

- Make a good impression on the judge. A judge can hold a person “in contempt of court” for bad behavior. This could result in a fine or time in jail.
- Wait for your turn to speak. Do not interrupt the judge or the other party. If you interrupt others in court, the judge will stop you and instruct you to wait your turn.
- *Turn off your cell phone.*

## **9. Dress appropriately**

- You should wear a suit or sport coat, if you have one. Otherwise, wear nice, clean casual clothes and shoes. Remove your hat or cap while you are in the courtroom or in the judge’s office.

## **10. Speak loudly and clearly so everyone in the courtroom can hear you.**

- Judges and the other parties in court need to hear the facts correctly. The judge needs to hear you clearly so that he or she can make a correct decision.

## **11. If you can’t attend a court hearing – or can’t be on time – you must inform the court.**

- You must have a *very good reason* to reschedule any court hearing.
- To reschedule a hearing at the last minute, there must be an emergency.
  - You should immediately call the district court clerk’s office where your hearing is scheduled.
  - Calmly explain your problem, and ask to reschedule the hearing or trial. Court staff will write down the request and contact the judge. The judge will decide whether your reason for changing the hearing or trial date is serious enough to grant your request.
  - Give the clerk your phone number where you can be contacted that day.
- If something very important comes up two or more days before the hearing – like a death in the family or an accident that puts you in the hospital – you must submit your request for a new hearing date or time in writing and file it with the district court clerk. In a divorce case without minor children, use the family law Motion form (**FL-122**) to ask the court for a new hearing date.
  - Do this as soon as you know you need to reschedule the hearing.
  - After you file the Motion at the clerk’s office, deliver a copy of your request to the other party.
  - It’s more likely a judge will agree to your request if you get the other party to sign a written agreement to change the hearing time or date – and include it with your Motion for a new hearing date.
  - The clerk will give your request to a judge. Because judges are busy, you probably won’t get an answer right away.
- **NOTE:** If you do not show up for the trial at the time it is scheduled -- and the other party does show up -- the judge may enter a judgment in favor of the other party.

**FL-315 ANSWER TO APPLICATION TO MODIFY CHILD SUPPORT ONLY**

**PRINT CLEARLY**

**A.** IN THE DISTRICT COURT FOR \_\_\_\_\_ COUNTY, IOWA  
(County where the Application is filed)

**B.** UPON THE PETITION OF

\_\_\_\_\_  
\_\_\_\_\_  
**PETITIONER** (As it is in the Application)

VS

\_\_\_\_\_  
**RESPONDENT** (As it is in the Application)

Equity case number:

\_\_\_\_\_  
**Answer to Application to  
Modify Child Support Only**  
(CLERK STAMPS HERE)

► **STOP! Use this form only if you are responding to an Application for Modification of Child Support on form FL-301. For all other situations, see the instructions for this form.**

**C. PERSONAL INFORMATION**

**1.** (Check only one. If you check the second box, fill in the blanks.)

- ☐ The Applicant's year of birth and present residence are correct in the Application.  
☐ The Applicant's year of birth and present residence are:

\_\_\_\_\_  
(Name) \_\_\_\_\_  
(Year of birth)

\_\_\_\_\_  
(Present street address) \_\_\_\_\_  
(City) \_\_\_\_\_ (State) \_\_\_\_\_ (ZIP Code)

\_\_\_\_\_  
(County) \_\_\_\_\_  
( ) \_\_\_\_\_  
(Phone number)

**2.** Response (Check only one. If you check the second box, fill in the blanks.)

- ☐ My year of birth and present residence are correct in the Application.  
☐ My year of birth and present residence are:

\_\_\_\_\_  
(Name) \_\_\_\_\_  
(Year of birth)

\_\_\_\_\_  
(Present street address) \_\_\_\_\_  
(City) \_\_\_\_\_ (State) \_\_\_\_\_ (ZIP Code)

\_\_\_\_\_  
(County) \_\_\_\_\_  
( ) \_\_\_\_\_  
(Phone number)

**3.** (Check only one. If you check the third box, fill in the blanks.)

- ☐ There is no non-parent who gets child support in this case.
- ☐ The year of birth and present residence of the non-parent getting child support are correct in the Application.
- ☐ The correct identifying information for the non-parent receiving child support is:

\_\_\_\_\_  
(Name) \_\_\_\_\_  
(Year of birth)

\_\_\_\_\_  
(Present street address) \_\_\_\_\_  
(City) \_\_\_\_\_ (State) \_\_\_\_\_ (ZIP Code)

\_\_\_\_\_  
(County) \_\_\_\_\_  
(Phone number)

**D. GENERAL INFORMATION ABOUT THIS CASE**

**4.**

a. (Check only one. If you check the second box, fill in the blanks.)

- ☐ The date of the current child support order is correct in the Application.
- ☐ The correct date of the current child support order is: \_\_\_\_ / \_\_\_\_ / \_\_\_\_.  
Month Day Year

b. (Check only one. If you check the second box, fill in the blanks.)

- ☐ The county and state of the current child support order are correct in the Application.
- ☐ The correct county and state of the current child support order are:

County: \_\_\_\_\_ State: \_\_\_\_\_

c. (Check only one. If you check the second box, fill in the blank.)

- ☐ The case number of the current child support order is correct in the Application.
- ☐ The correct case number of the current child support order is: \_\_\_\_\_.

d. (Check only one. If you check the second box, fill in the blanks.)

- ☐ The Application correctly states who receives and who pay child support.
- ☐ The correct information is that (name) \_\_\_\_\_ pays child support in this case and (name) \_\_\_\_\_ receives child support.

e. (Check only one. If you check the second box, fill in the blanks.)

- ☐ The Application correctly states the amount of child support ordered.
- ☐ The correct currently ordered child support payment is: \$ \_\_\_\_\_ per \_\_\_\_\_.  
(week or month)

**5.** (Check only one.)

- a. ☐ A copy of the current child support order was attached to the Application.
- b. ☐ A copy of the current child support order was not attached to the Application.

**6.** (Check only one. If you check the second box, fill in the blank.)

- a. ☐ The Child Support Recovery Unit and/or the Collection Services Center are not involved.
- b. ☐ The child support recovery unit and/or the Collection Services Center (CSC) are involved.

The CSC number for payments is \_\_\_\_\_.

**7.** (Check only one. If you check the second box, fill in the blanks.)

- a. ☐ There are no other child support orders for the child or children involved in this case.
- b. ☐ There are other child support cases for the child or children involved in this case. They are

Case # \_\_\_\_\_, County and State \_\_\_\_\_

Case # \_\_\_\_\_, County and State \_\_\_\_\_

**8.** (Check only one. If you check the second box, fill in the blanks.)

- a. ☐ The Application correctly identifies the children covered by the current child support order.
- b. ☐ The Application does not correctly identify the children covered by the current child support order. (Identify the children covered.) The following children are covered by the current support order:

<u>First, middle &amp; last initials of each child</u>	<u>Year of birth</u>
(1) _____	_____
(2) _____	_____
(3) _____	_____
(4) _____	_____
(5) _____	_____
(6) _____	_____

(If you attach a separate sheet with an additional child or children, check this box ☐.)

**9.**

a. (Check only one.)

- ☐ It is correct that there is a juvenile court order changing placement and that the person paying support has the child or children.
- ☐ There is no juvenile court order that gives care of the child to the party paying support.

b. (Check only one.)

- ☐ It is correct that one or more of the children now live with the person paying support.
- ☐ None of the children live with the person who is ordered to pay support.

c. (Check only one.)

- ☐ It is correct that one or more of the children no longer qualifies for support.
- ☐ There has been no change in the number of children who qualify for support.

d. (Check only one.)

- ☐ I agree that the other party's income has gone down.
- ☐ I do not agree that the other party's income has gone down.

e. (Check only one.)

- ☐ I agree that my income has gone up.
- ☐ I do not agree that my income has gone up.

f. ☐ My response to the other reason in the Application: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**10.** Child support should: *(Check all that apply. If you check more than one, explain on the blank lines.)*

- a. ☐ Be raised \_\_\_\_\_  
b. ☐ Be lowered \_\_\_\_\_  
c. ☐ Be stopped \_\_\_\_\_  
d. ☐ Not be changed \_\_\_\_\_

**11.** *(Check only one.)*

- a. ☐ There is no court order at this time on tax deductions for the child or children.  
b. ☐ A court order currently says who gets the tax deduction for the child or children and it should stay the same.  
c. ☐ A court order currently says who gets the tax deduction for the child or children and it should be changed.

**12.** *(Check only one.)*

- a. ☐ There is no court order at this time on who pays for health insurance or cash medical support for the child or children.  
b. ☐ A court order currently says who pays for health insurance or cash medical support for the child or children and it should stay the same.  
c. ☐ A court order currently says who pays for health insurance or cash medical support for the child or children and it should be changed.

**13.** I am: *(Check all that are true and fill in the blanks for the ones you check.)*

- a. ☐ In the military service. *(Give the location.)*

\_\_\_\_\_

- b. ☐ In prison or jail. *(Give the location.)*

\_\_\_\_\_

**14.** *(Check if true, and fill in the blanks if you check the box.)*

- ☐ There is a “protective order” or a “no contact order” between the other party and me. If this box is checked, write in the following information *(Required)*:

\_\_\_\_\_ (County) \_\_\_\_\_ (State) \_\_\_\_\_ (Case number)

**15.** Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**E. REQUEST**

**16.** I ask the court to: *(Check all that apply.)*

- a. ☐ Dismiss the request for a change in child support.
- b. ☐ Raise child support.
- c. ☐ Lower child support.
- d. ☐ Stop child support completely.
- e. ☐ Leave the dependant's deduction for income tax unchanged.
- f. ☐ Change the party who gets the dependant's deduction for income tax.
- g. ☐ Leave the responsibility for health insurance expenses unchanged.
- h. ☐ Change the responsibility for health insurance expenses.
- i. ☐ Order that the other party pay the court fees.
- j. ☐ Order that the other party pay my attorney fees.
- k. ☐ Other request: \_\_\_\_\_

**F. ATTORNEY HELP**

- (Check one.)*
- a. ☐ An attorney did not help me prepare or fill in this paper.
  - b. ☐ An attorney helped me prepare or fill in this paper. *(If you check b., you must fill in the following information.)*

\_\_\_\_\_  
*(Name of attorney or organization, if any)*

\_\_\_\_\_  
*(Attorney's P.I.N. # – Ask the attorney)*

\_\_\_\_\_  
*(Business address of attorney or organization)*

\_\_\_\_\_  
*(City)*

\_\_\_\_\_  
*(State)*

\_\_\_\_\_  
*(ZIP Code)*

(\_\_\_\_\_)\_\_\_\_\_  
*(Attorney's phone number – Required)*

(\_\_\_\_\_)\_\_\_\_\_  
*(Attorney's fax number, if there is one)*

**G. OATH AND SIGNATURE**

I, \_\_\_\_\_, certify that on \_\_\_\_\_, 20\_\_\_\_\_,  
*(Print your name)* *(Month & day)* *(Year)*

I mailed or gave a copy of this form to the other party or the other party's attorney at this address:

\_\_\_\_\_  
*(Name of person to whom I delivered or mailed it)*

\_\_\_\_\_  
*(Person's street address)*

\_\_\_\_\_  
*(City)*

\_\_\_\_\_  
*(State)*

\_\_\_\_\_  
*(ZIP Code)*

I also certify under penalty of perjury and pursuant to the laws of the state of Iowa that I have read this form and that the information I have provided in it is true and correct.

*(Your signature - Required)* \_\_\_\_\_

\_\_\_\_\_  
*(Your mailing address – Required)*

\_\_\_\_\_  
*(City – Required)*

\_\_\_\_\_  
*(State, ZIP Code – Required)*

\_\_\_\_\_  
*(E-mail address – Optional)*

(\_\_\_\_\_)\_\_\_\_\_  
*(Fax number – Optional)*

## **Instructions on How to Complete an Answer to Application to Modify Child Support Only (FL-315)**

**Do not file or give these instructions to the district court clerk's office.**

### **Deadline for filing an Answer:**

- You have **20 days** from the date you receive an Application to Modify Child Support Only to file an Answer with the district court clerk in the county where the Application was filed.
- If you do not file an Answer, the court may make decisions and enter orders without hearing from you.

### **Use this form only if:**

- The other party filed an Application to Modify Child Support Only using form **FL-301**.
- If the other party did not use form **FL-301** – you may want to use form **FL-316** to file your Answer.

### **Contact an attorney if one of these is true:**

- You do not know if you should use this form – OR –
- You do not understand how to use this form

### **Court staff cannot give you legal advice.**

- Court staff cannot tell you if you should use this form. They cannot tell you which boxes to check or what information you should write on the form.

### **If this is the form you need:**

- Begin at the top of page 1 on the Answer and fill in the information. Use the information on the following pages to help you fill in the form correctly.

### **Print clearly when you write information on form **FL-315****

## How to Fill in the Answer to an Application to Modify Child Support Only (FL-315)

### Part A. IN THE DISTRICT COURT

- *In the District Court for:* Print the name of the county where the other party filed the Application to Modify Child Support Only.

### Part B. UPON THE PETITION

- Enter the names of the Petitioner and Respondent as they appear on the Application.
- In the box on the right side of this section, write in the “Equity case number” for your case. It appears in this same location on the Application form (FL-301). If you are not sure of the case number, you may ask the district court clerk.
- The district court clerk will stamp the date your Answer is filed in the box that says “CLERK STAMPS HERE”.

### Part C. PERSONAL INFORMATION

► **If you have been assaulted by the other party and you fear for your safety, you may leave your address and phone number blank.** However, in **Part G.** on the form, you **must** provide an address where you can receive mail.

1. Check the first box if the Applicant’s name, year of birth, address, city, county, state, zip code and telephone number are correct on the Application.
  - If the information on the Application is not correct, check the second box and print the correct information on the blanks.
2. Check the first box if your name, year of birth, address, city, county, state, zip code and telephone number are correct on the Application.
  - If the information on the Application is not correct, check the second box and print the correct information on the blanks.
3. Some person other than a parent may get child support in this case, for example a grandparent or a sibling who is caring for the child. Check the first box if there is no such person in this case. Check the second box if there is such a person and he or she is correctly identified in the Application.
  - If there is such a person and the information on the Application is not correct, check the last box and print the correct information on the blanks.

### Part D. GENERAL INFORMATION ABOUT THIS CASE

This is where you will tell the court whether you agree with what the Application says.

- Check the box only if the information is true.
- If the information is not true, do not check the box.
- If you do not know if the information is true, do not check the box.

- 4.** See what boxes are checked in paragraph 4 of the Application.
- Check the boxes to tell the court if you agree or do not agree with a, b, c, d, and e in the Application.
- 5.** Read each choice carefully and check only one box.
- 6.** Read each choice carefully and check only one box.
- 7.** Check only one box.
- a. Check this box if there are no other child support orders for the child or children involved in this case.
  - b. Check this box if there are other child support orders for the child or children in this case but the Application does not correctly identify them and fill in what you believe to be the correct information.
- 8.** Check only one box.
- a. Check this box if the Application correctly identifies the child or children covered by the current child support order.
  - b. Check this box if the Application does not correctly identify the child or children covered by the current child support order and provide the correct information.
- 9.** See what boxes are checked in paragraph 9 of the Application.
- Check the boxes to tell the court if you agree or do not agree with a, b, c, d, and e in the Application.
  - If the Applicant wrote in something in paragraph 9(f) of the Application, check this box and write in your response.
- 10.** Read each choice carefully and check only one box.
- 11.** Read each choice carefully and check only one box.
- 12.** Read each choice carefully and check only one box.
- Health care expenses include both health insurance and who pays the amount of expenses not covered by health insurance.
- 13.** If you are not in the military or in prison or in jail, don't check either box.
- a. Check this box if you are in the military.
    - There are special rules that may prevent the case from going forward if you are in the military. You should talk to an attorney.
  - b. Check the box if you are in prison or in jail.
    - If you are in prison or jail, you may be entitled to a "guardian ad litem."
    - A guardian ad litem is an attorney appointed in some cases to protect the interests of an incarcerated litigant.
    - If you are in prison or jail, state the location under **15.** on your Answer form.
- 14.** Check the box if there is currently a "no contact" order or a "protection" order in effect. If you check this box, then you must also fill in: (a.) the county and state where the order came from and (b.) the case number on the order.

**15.** If there is anything else you want to tell the court, print it on the blank lines.

#### **Part E. REQUEST**

**16. Important Note:** If you do not know what you want, **talk to an attorney**. Be sure to read “a.” through “j.” carefully. Check only the ones you want the court to consider.

- Check box “k.” and print a brief statement if there is something else you want.

#### **Part F. ATTORNEY HELP**

You should check one of these boxes.

- a. Check this box if an attorney did not help you decide which boxes to check or what to write in any of the spaces on the form.
- b. Check this box if an attorney did help you decide which boxes to check or what to write in any of the spaces on the form. If you check “b,” you **must** fill in the information on the lines below “b.” If you do not know what to write in these lines, contact the attorney who helped you with the form.

#### **Part G. OATH AND SIGNATURE**

Fill in all the blank lines in section **G.**

- On or before the day you file this Answer form at the district court clerks’ office, you must mail or give a copy of what you file to the other party or the other party’s attorney, if any. Write in the date you did this.
- Fill in the name and address where you sent the copy of the Answer.
- Print the address where you want the court and the other party to send mail to you. This does not have to be your home address.
- **By signing this form, you are telling the court that the information on this form is true. The court may punish you if you lie on this form.**

#### **Checklist of things you should do after you complete the Answer form:**

- ☐ Carefully check your Answer form. Be sure you’ve answered all the questions.
- ☐ Make three photocopies of the original Answer.
- ☐ Take all four papers to the district court clerk’s office; ask them to time-stamp all the papers
- ☐ File the original Answer at the district court clerk’s office.
- ☐ Deliver a copy (by mail or in person) to:

The other parent or the other parent’s attorney – and –  
Anyone else who is getting child support in this case.

**NOTE:** If the Child Support Recovery Unit (CSRU) is involved in your case, you must mail a copy of your Answer to the CSRU office that serves the county where your child support modification case is filed. For a list of CSRU offices, see section **G.** of “*A Guide to Representing Yourself in Iowa in a Modification of Child Support Only*.” The Guide is included in the packet of forms and instructions for Modification of Child Support Only. It is also available on the Iowa courts’ website at:

[http://www.iowacourts.gov/Representing\\_Yourself/DivorceFamily\\_Law/](http://www.iowacourts.gov/Representing_Yourself/DivorceFamily_Law/)

- ☐ Keep the other copy for your own records.

**Keep these instructions. Do not file them at the district court clerk’s office.**

**FL-316** GENERAL ANSWER TO APPLICATION TO MODIFY CHILD SUPPORT ONLY

**PRINT CLEARLY**

**A.** IN THE DISTRICT COURT FOR \_\_\_\_\_ COUNTY, IOWA  
*(County where Application is filed)*

**B.** UPON THE PETITION OF

\_\_\_\_\_  
\_\_\_\_\_  
**PETITIONER** *(As it is in the Application)*

VS

\_\_\_\_\_  
**RESPONDENT** *(As it is in the Application)*

Equity case number:

**General Answer to Application  
to Modify Child Support Only**  
*(CLERK STAMPS HERE)*

► **STOP!** If you are responding to an Application labeled **FL-301** → do not use this form.  
Use form **FL-315**

**C.** ANSWER

**1.** I admit that these paragraphs in the Application are true:

\_\_\_\_\_  
*(List the numbers of the paragraphs in the Application that you think are true.)*

**2.** I deny these paragraphs in the Application are true:

\_\_\_\_\_  
*(List the numbers of the paragraphs in the Application that you think are false.)*

**3.** I do not know whether these paragraphs in the Application are true:

\_\_\_\_\_  
*(List the numbers of the paragraphs in the Application that you are not sure about.)*

**4.** I deny anything in the Application that is not admitted in this Answer.

**5.** Other information: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**D. REQUEST**

I ask the court to:

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---

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**E. ATTORNEY HELP**

- (Check one.) a. ☐ An attorney did not help me prepare or fill in this paper.  
b. ☐ An attorney helped me prepare or fill in this paper. (If you check b., you must fill in the following information.)

_____	_____		
(Name of attorney or organization, if any)	(Attorney's P.I.N. # – Ask the attorney)		
_____	_____	_____	_____
(Business address of attorney or organization)	(City)	(State)	(ZIP Code)
(_____)_____	(_____)_____		
(Attorney's phone number – Required)	(Attorney's fax number, if there is one)		

**F. OATH AND SIGNATURE**

I, \_\_\_\_\_, certify that on \_\_\_\_\_, 20\_\_\_\_\_,  
(Print your name) (Month & day) (Year)

I mailed or gave a copy of this form to the other party or the other party's attorney at this address:

\_\_\_\_\_

(Name of person to whom I delivered or mailed it)

_____	_____	_____	_____
(Person's street address)	(City)	(State)	(ZIP Code)

I also certify under penalty of perjury and pursuant to the laws of the state of Iowa that I have read this form and that the information I have provided in it is true and correct.

(Your signature – Required) \_\_\_\_\_

_____	_____	_____
(Your mailing address – Required)	(City – Required)	(State, ZIP Code – Required)
_____	(_____)_____	
(E-mail address – Optional)	(Fax number – Optional)	

## **Instructions On How to Complete the General Answer to an Application to Modify Child Support Only (FL-316)**

**Do not file or give these instructions to the district court clerk's office.**

### **Deadline for filing an Answer:**

- You have **20 days** from the date you receive the Application to file an Answer with the district court clerk in the county where the Application was filed.
- If you do not file an Answer, the court may make decisions and enter orders without hearing from you.

### **Use this form only if:**

- You were served with an Application that is **not** form **FL-301**. If your spouse served you with Application form **FL-301**, you should use Answer form **FL-315**.

### **Contact an attorney if one of these is true:**

- You do not know if you should use this form – OR –
- You do not understand how to use this form

### **Court staff cannot give you legal advice.**

- Court staff cannot tell you if you should use this form. They cannot tell you which boxes to check or what information you should write on the form.

### **If this is the form you need:**

- Begin at the top of page 1 on the General Answer form and fill in the information. Use the information on the following pages to help you fill in the form correctly.

**Print clearly when you write information on form **FL-316**.**



## How to Fill in Form **FL-316**

### **Part A.** IN THE DISTRICT COURT

- *In the District Court for:* Print the name of the county where the other party filed the Application.

### **Part B.** UPON THE PETITION

- Enter the names of the Petitioner and Respondent as they appear on the Application.
- In the box on the right side of this section, write in the “Equity case number” for your case. It appears in this same location on the Application form (**FL-301**). If you are not sure of the case number, you may ask the district court clerk.
- The district court clerk will stamp the date your Answer is filed in the box that says “CLERK STAMPS HERE”.

### **Part C.** ANSWER

Read each of the numbered paragraphs in the Application that you received. You should tell the court whether each of the numbered paragraphs is true or not. You should also tell the court if you do not know whether a paragraph is true or not.

- 1.** In this section you should print the paragraph numbers that you think are true. Use the same numbers as in the Application.
  - If you decide later that the paragraphs you list here are not true, it may be too late to change your Answer.
- 2.** In this section you should print the paragraph numbers that you think are not true or you do not agree with. Use the same numbers as in the Application.
- 3.** In this section you should print the paragraph numbers that you cannot say are true or not true. Use the same numbers as in the Application.
  - This may be because you do not know something such as a date, place, or when something happened.
  - If you are not sure about part of the paragraph, you should print the number of that paragraph here.
- 4.** You do not have to print anything in this section.
- 5.** If there is anything else you want to tell the court -- print it on the blank lines in this section.

## Part **D.** REQUEST

- In this section, print what you want the court to do. Be brief. Do not print long descriptions.

**If you do not know what you want, you should talk to an attorney.**

## Part **E.** ATTORNEY HELP

You should check one of these boxes.

- a. Check this box if an attorney did not help you decide which boxes to check or what to write in any of the spaces on the form.
- b. Check this box if an attorney did help you decide which boxes to check or what to write in any of the spaces on the form. If you check “b,” you **must** fill in the information on the lines below “b.” If you do not know what to write in these lines, contact the attorney who helped you with the form.

## Part **F.** OATH AND SIGNATURE

Fill in all the blank lines in section **F.**

- On or before the day you file this Answer form at the district court clerks’ office, you must mail or give a copy of what you file to the other party or the other party’s attorney, if any. Write in the date you did this.
- Print the address where you want the court and the other party to send mail to you. This does not have to be your home address.
- Fill in the name and address where you sent the copy of the Answer.

**By signing form **FL-316** you are stating that the information is true. The court may punish you if you lie on this form.**

### **Checklist of things you should do after you complete the Answer form:**

- ☐ Carefully check your Answer form. Be sure you have answered all questions.
- ☐ Make at least three photocopies of the original form (enough for each person who needs one).
- ☐ Take the original and the copies to the district court clerk’s office; ask the clerk to time-stamp all of them. The clerk will keep the original and give the copies back to you. Keep one for your records.
- ☐ Promptly after you leave the district court clerk’s office, deliver (by mail or in-person) one copy to the other parent or that person’s attorney.
- ☐ If the Child Support Recovery Unit (CSRU) is involved in your case, you must also deliver (by mail or in-person) a copy of your Answer to the CSRU. See the *Guide for Representing Yourself in an Iowa Court to Modify Child Support Only* (page 7 and part **G.**) for information on how to serve these forms on the CSRU.

**Remember: Do not give these instructions to the Clerk of District Court.**

**A. IN THE DISTRICT COURT FOR** \_\_\_\_\_ **COUNTY, IOWA**  
*(County where the Application is filed)*

**B. UPON THE PETITION**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PETITIONER**    *(As it is in the Application)*

**VS.**

\_\_\_\_\_  
**RESPONDENT**    *(As it is in the Application)*

**Case Number:**

**Motion**  
*(CLERK STAMPS HERE)*

**C. REQUEST**

**1.** My name is: \_\_\_\_\_

**2.** I ask the court to: *(Check all that apply.)*

a. ☐ Change the hearing date that has been set for \_\_\_\_\_, 20\_\_\_\_.

b. ☐ Set a hearing date for a modification of child support.

c. ☐ Other request *(explain)*: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**3.** I am making this request because: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**D. ATTORNEY HELP**

- (Check one.)*    a. ☐ An attorney did not help me prepare or fill in this paper.  
                  b. ☐ An attorney helped me prepare or fill in this paper. *(If you check b., you must fill in the following information.)*

\_\_\_\_\_  
*(Name of attorney or organization, if any)*

\_\_\_\_\_  
*(Attorney's P.I.N. # – Ask the attorney)*

\_\_\_\_\_  
*(Business address of attorney or organization)*

\_\_\_\_\_  
*(City)*

\_\_\_\_\_  
*(State)*

\_\_\_\_\_  
*(ZIP Code)*

(\_\_\_\_\_) \_\_\_\_\_  
*(Attorney's phone number – Required)*

(\_\_\_\_\_) \_\_\_\_\_  
*(Attorney's fax number, if there is one)*

<b>E. CERTIFICATION AND SIGNATURE</b>
---------------------------------------

I, \_\_\_\_\_, certify that on \_\_\_\_\_, 20\_\_\_\_\_,  
*(Print your name)* *(Month & day)* *(Year)*

I mailed or gave a copy of this form to the other party or the other party's attorney at this address:

\_\_\_\_\_  
*(Name of person to whom I delivered or mailed it)*

\_\_\_\_\_  
*(Person's street address)*      \_\_\_\_\_ *(City)*      \_\_\_\_\_ *(State)*      \_\_\_\_\_ *(ZIP Code)*

I also certify under penalty of perjury and pursuant to the laws of the state of Iowa that I have read this form and that the information I have provided in it is true and correct.

*(Your signature – Required)* \_\_\_\_\_

\_\_\_\_\_  
*(Your mailing address – Required)*      \_\_\_\_\_ *(City – Required)*      \_\_\_\_\_ *(State, ZIP Code – Required)*

\_\_\_\_\_  
*(E-mail address – Optional)*      (\_\_\_\_\_) \_\_\_\_\_  
*(Fax number – Optional)*

## **Instructions On How to Complete a Motion Form (FL-322)**

### **When to use form FL-322:**

- If you want to ask the court to do something after your court case has already started, you must do this by filing a Motion.

**Do not file or give these instructions to the district court clerk's office.**

### **Contact an attorney if one of these is true:**

- You do not know if you should use this form – OR –
- You do not understand how to use this form

### **Court staff cannot give you legal advice**

- Court staff cannot tell you if you should use this form. They cannot tell you which boxes to check or what information you should write on the form.

### **If this is the form you need:**

- Begin at the top of page 1 on the Motion and fill in the information. Use the information on the following page to help you fill in the form correctly.

**Print clearly when you write information on form FL-322**

**Continued on the next page**

## How to Fill in a Motion Form (FL-322)

### Part A. IN THE DISTRICT COURT

- On the first blank print the name of the county where the Application was filed.

### Part B. UPON THE PETITION

- Enter the names of the Petitioner and Respondent as they appear on the Application.
- Write in the court's "Equity case number" for your case. It appears in this same location on the Application form (DR-301). If you are not sure of the case number, you may ask the district court clerk.
- The district court clerk will stamp the date your motion is filed in the box that says "CLERK STAMPS HERE".

### Part C. REQUEST

1. Write your name in the blank line.
2. Check the box or boxes that tell the court what you want.
3. If you check any box, you must tell the court why you are making this request. Write your reason on the blank lines.

### Part D. ATTORNEY HELP

You should check one of these boxes.

- a. Check this box if an attorney did not help you decide which boxes to check or what to write in any of the spaces on the form.
- b. Check this box if an attorney did help you decide which boxes to check or what to write in any of the spaces on the form. If you check "b," you *must* fill in the information on the lines below "b." If you do not know what to write in these lines, contact the attorney who helped you with the form.

### Part E. CERTIFICATION AND SIGNATURE

- Fill in the date you mailed or gave a copy of the Motion to the other party and sign the form at the bottom.
- Fill in the name and address where you sent the copy of the Motion.

### Checklist of things you should do after you complete the Motion form:

- ☐ Carefully check your Motion form. Be sure you've answered all the questions.
- ☐ Make three photocopies of the original Motion.
- ☐ Take all four papers to the district court clerk's office; ask them to time-stamp all the papers.
- ☐ File the original Motion at the district court clerk's office.
- ☐ Serve a copy (in-person or by mail) on the other parent or the other parent's attorney – and -- anyone else who is getting child support in this case
- ☐ If the Child Support Recovery Unit (CSRU) is involved, mail a copy to the CSRU. See the *Guide for Representing Yourself in an Iowa Court to Modify Child Support Only* (parts B.4. and G.) for information on how to serve these forms on the other parties and the CSRU.
- ☐ Keep the other copy for your own records.

**Remember: Do not file these instructions with the Motion.**

**FL-323**      **RESPONSE TO A MOTION**

**PRINT CLEARLY**

**A.** IN THE DISTRICT COURT FOR \_\_\_\_\_ COUNTY, IOWA  
*(County where you're the Application is filed)*

**B.** UPON THE PETITION OF

\_\_\_\_\_  
\_\_\_\_\_  
**PETITIONER**    *(As it is in the Application)*

VS.

\_\_\_\_\_  
**RESPONDENT**    *(As it is in the Application)*

Equity case number:

**Response to a Motion**  
*(CLERK STAMPS HERE)*

**C. RESPONSE TO THE MOTION**

**1.** My name is \_\_\_\_\_

**2.** The other party filed a Motion on *(date stamped on Motion)*: \_\_\_\_\_, 20\_\_\_\_.  
*(Month & day)* *(Year)*

**3.** My response to the Motion: *(Check one; if you check "a.," write your reason on the blank lines.)*

a. ☐ I object to the request(s) in the Motion because:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

b. ☐ I do not object to the request(s) in the Motion

**D. ATTORNEY HELP**

*(Check one.)* a. ☐ An attorney did not help me prepare or fill in this paper.

b. ☐ An attorney helped me prepare or fill in this paper. *(If you check b., you must fill in the following information.)*

\_\_\_\_\_  
*(Name of attorney or organization, if any)*

\_\_\_\_\_  
*(Attorney's P.I.N. # – Ask the attorney)*

\_\_\_\_\_  
*(Business address of attorney or organization)*

\_\_\_\_\_  
*(City)*

\_\_\_\_\_  
*(State)*

\_\_\_\_\_  
*(ZIP Code)*

(\_\_\_\_\_)\_\_\_\_\_  
*(Attorney's phone number – Required)*

(\_\_\_\_\_)\_\_\_\_\_  
*(Attorney's fax number, if there is one)*

<b>E.</b> CERTIFICATION AND SIGNATURE
---------------------------------------

I, \_\_\_\_\_, certify that on \_\_\_\_\_, 20\_\_\_\_\_,  
*(Print your name)* *(Month & day)* *(Year)*

I mailed or gave a copy of this form to the other party or the other party's attorney at this address:

\_\_\_\_\_  
*(Name of person to whom I delivered or mailed it)*

\_\_\_\_\_  
*(Person's street address)*      \_\_\_\_\_ *(City)*      \_\_\_\_\_ *(State)*      \_\_\_\_\_ *(ZIP Code)*

I also certify under penalty of perjury and pursuant to the laws of the state of Iowa that I have read this form and that the information I have provided in it is true and correct.

*(Your signature – Required)* \_\_\_\_\_

\_\_\_\_\_  
*(Your mailing address – Required)*      \_\_\_\_\_ *(City – Required)*      \_\_\_\_\_ *(State, ZIP Code – Required)*

\_\_\_\_\_  
*(E-mail address – Optional)*      (\_\_\_\_\_) \_\_\_\_\_  
*(Fax number – Optional)*



## **Instructions On How to Complete a Response to a Motion (FL-323)**

### **When to use form FL-323**

- If the other party has filed a Motion and you want to respond to that Motion.

**Do not file or give these instructions to the district court clerk's office.**

### **Contact an attorney if one of these is true:**

- You do not know if you should use this form – OR –
- You do not understand how to use this form

### **Court staff cannot give you legal advice**

- Court staff cannot tell you if you should use this form. They cannot tell you which boxes to check or what information you should write on the form.

### **If this is the form you need:**

- Begin at the top of page 1 on the Response to a Motion and fill in the information. Use the information on the following page to help you fill in the form correctly.

### **Print clearly when you write information on form FL-323**

**Continued on the next page**

## How to Fill in a Response to a Motion (FL-323)

### Part A. IN THE DISTRICT COURT

- On the first blank print the name of the county where the Application to Modify Child Support Only was filed.

### Part B. UPON THE PETITION

- Enter the names of the Petitioner and Respondent as they appear on the Application.
- In the box on the right, write in the court's "Equity case number" for your case. It appears in this same location on the Application form (FL-301). If you are not sure of the case number, you may ask the district court clerk.
- The district court clerk will stamp the date your Response is filed in the box that says "CLERK STAMPS HERE".

### Part C. RESPONSE TO THE MOTION

1. Write your name.
2. Fill in the date that the other party filed the Motion (probably form FL-322). Use the date that is stamped in the box that says: "CLERK STAMPS HERE".
3. Check box "a" if you object to the request(s). Write the reason you object to the request(s) made in the Motion. (FL-322)  
Check box "b" if you do not object to the request(s).

### Part D. ATTORNEY HELP

You should check one of these boxes.

- a. Check this box if an attorney did not help you decide which boxes to check or what to write in any of the spaces on the form.
- b. Check this box if an attorney did help you decide which boxes to check or what to write in any of the spaces on the form. If you check "b," you **must** fill in the information on the lines below "b." If you do not know what to write in these lines, contact the attorney who helped you with the form.

### Part E. CERTIFICATION AND SIGNATURE

- Fill in the date you mailed or gave a copy of your FL-323 to the other party, and sign the form at the bottom.
- Fill in the name and address where you sent a copy of the form.

### Checklist of things you should do after you complete form FL-323:

- ☐ Carefully check your Response to a Motion form. Be sure you have answered all questions.
- ☐ Make at least three photocopies of the original form (enough for each person who needs one).
- ☐ Take the original and the copies to the district court clerk's office. Ask the clerk to time-stamp all of them. The clerk will keep the original and give the copies back to you. Keep one for your records.
- ☐ Promptly after you leave the district court clerk's office, deliver (by mail or in-person) one copy to the other parent or that person's attorney.

- ☐ If the Child Support Recovery Unit (CSRU) is involved in your case, you must also deliver (by mail or in-person) a copy of your Response to the CSRU. See the *Guide for Representing Yourself in an Iowa Court to Modify Child Support Only* (page 8 and part **C.**) for information on how to serve these forms on the CSRU.

**Remember: Do not give these instructions to the Clerk of District Court.**

**FL-324 CHILD SUPPORT MODIFICATION FINANCIAL STATEMENT****PRINT CLEARLY**

**A.** IN THE DISTRICT COURT FOR \_\_\_\_\_ COUNTY, IOWA  
(County where the Application is filed)

**B.** UPON THE PETITION OF

\_\_\_\_\_  
\_\_\_\_\_  
**PETITIONER** (As it is in the Application)

VS

\_\_\_\_\_  
**RESPONDENT** (As it is in the Application)

Equity case number:

\_\_\_\_\_  
**Child Support Modification  
Financial Statement**  
(CLERK STAMPS HERE)

I, (print your name) \_\_\_\_\_, state that the following is a true and complete statement of the requested information:

**C. MY INCOME**

(Because this financial statement will become public record, you are not required to list the name of your employer(s).)

**1. Income from my employment**

**a.** Job / Title: \_\_\_\_\_

Gross income: \$ \_\_\_\_\_ per \_\_\_\_\_  
-- Before taxes (week or month)

Net income: \$ \_\_\_\_\_ per \_\_\_\_\_  
-- After taxes (week or month)

**b.** Job / Title: \_\_\_\_\_

Gross income: \$ \_\_\_\_\_ per \_\_\_\_\_  
-- Before taxes (week or month)

Net income: \$ \_\_\_\_\_ per \_\_\_\_\_  
-- After taxes (week or month)

**2. Other Income:** \$ \_\_\_\_\_ per \_\_\_\_\_ Describe source of income: \_\_\_\_\_  
(week or month)

**3. Income from Social Security Disability (SSD) Benefits**

**a.** Total SSD benefits paid to you for your disability:

(1) Amount paid for your expenses: \$ \_\_\_\_\_ per month

(2) Amount paid for your children's expenses: \$ \_\_\_\_\_ per month

b. List the initials (first, middle, last) and birth year of the children in your home who receive SSD benefits:

Child's initials (first, middle, last)	Birth year:
(1) _____	_____
(2) _____	_____
(3) _____	_____
(4) _____	_____
(5) _____	_____

c. The following are my children who receive Social Security Disability benefits but live with someone else:

Child's initials (first, middle, last):	Amount of SSD benefit:	Name of person receiving payment:
(1) _____	\$ _____ per month	_____
(2) _____	\$ _____ per month	_____
(3) _____	\$ _____ per month	_____
(4) _____	\$ _____ per month	_____
(5) _____	\$ _____ per month	_____

d. Total SSD benefits paid to someone else for the children in "2.c.": \$ \_\_\_\_\_ per month

e. Total SSD benefits paid to you because you are the spouse of the disabled parent:

\$ \_\_\_\_\_ per month

## **D. MY DEDUCTIONS**

### **4. Tax Status:**

- a. I am currently married to the other parent. (*Check one.*) ☐ Yes ☐ No  
b. I have custody of the child or children in this case. (*Check one.*) ☐ Yes ☐ No

**5. Number of exemptions:** Yourself: 1 Children: \_\_\_\_\_

**6. Income tax withheld:** ..... Federal: \$ \_\_\_\_\_ per \_\_\_\_\_  
State: \$ \_\_\_\_\_ per \_\_\_\_\_

**7. FICA (Social Security & Medicare):** \$ \_\_\_\_\_ per \_\_\_\_\_

**8. Mandatory pension contribution:** \$ \_\_\_\_\_ per \_\_\_\_\_

**9. Union dues:** \$ \_\_\_\_\_ per \_\_\_\_\_

**10.** Actual medical support paid for another child or other children as required by court or administrative order in a different case:

Paid to:	Amount:
_____	\$ _____ per _____
_____	\$ _____ per _____
_____	\$ _____ per _____

**11.** Prior court-ordered child support or alimony:

Paid to:	Amount:
_____	\$ _____ per _____
_____	\$ _____ per _____
_____	\$ _____ per _____

**12. Qualified additional dependent deduction**

List the name and birth year of each child you are the legal parent of. **Do not include any children covered by the child support order involved in this case.**

Child's initials ( <i>First, middle, last</i> )	Birth year:
a. _____	_____
b. _____	_____
c. _____	_____
d. _____	_____
e. _____	_____

**13.** Actual child care expense due to employment (*custodial parent only*): \$ \_\_\_\_\_ per \_\_\_\_\_

**14. Extraordinary visitation**

Number of Court Ordered Overnights for Parent without Custody: \_\_\_\_\_

**NOTE:** *If the court ordered equally shared physical care for the children, this credit does not apply.*

<b>E. MY HEALTH INSURANCE COSTS</b>
-------------------------------------

<b>15.</b> (1) Current health insurance premium:	\$ _____ per _____
(2) Family insurance cost	\$ _____ per _____
(3) Single policy cost	\$ _____ per _____

**F. MY ASSETS**

**16.** (1) Bank Name: \_\_\_\_\_

Amount in: Checking account: \$\_\_\_\_\_ Savings account: \$\_\_\_\_\_

(2) Bank Name: \_\_\_\_\_

Amount in: Checking account: \$\_\_\_\_\_ Savings account: \$\_\_\_\_\_

*If you have additional bank accounts, attach an additional page and check this box.* ☐

**17.** Real Estate (*street address*): \_\_\_\_\_

\_\_\_\_\_  
(City) (State) (ZIP Code)

Purchase Price: \$\_\_\_\_\_ Amount you still owe: \$\_\_\_\_\_

*If you own additional real estate, attach an additional page and check this box.* ☐

**18.** Current value of: Stocks: \$\_\_\_\_\_ Bonds: \$\_\_\_\_\_

**19.** Vehicles (*cars, trucks, vans, motorcycles, boats*):

a. Type: \_\_\_\_\_ Year: \_\_\_\_\_ Model: \_\_\_\_\_ Current value: \$\_\_\_\_\_

b. Type: \_\_\_\_\_ Year: \_\_\_\_\_ Model: \_\_\_\_\_ Current value: \$\_\_\_\_\_

c. Type: \_\_\_\_\_ Year: \_\_\_\_\_ Model: \_\_\_\_\_ Current value: \$\_\_\_\_\_

*If you own additional vehicles, attach an additional page and check this box.* ☐

**G. MY EXPENSES**

(1) House payment or rent: \$\_\_\_\_\_ per \_\_\_\_\_

(2) Utilities: \$\_\_\_\_\_ per \_\_\_\_\_

(3) Meals or food: \$\_\_\_\_\_ per \_\_\_\_\_

(4) Telephone: \$\_\_\_\_\_ per \_\_\_\_\_

(5) Clothing: \$\_\_\_\_\_ per \_\_\_\_\_

(6) Cable/satellite T.V.: \$\_\_\_\_\_ per \_\_\_\_\_

(7) Medical/ Dental: \$\_\_\_\_\_ per \_\_\_\_\_

(8) Car expenses: \$\_\_\_\_\_ per \_\_\_\_\_

(9) Other expenses: \$\_\_\_\_\_ per \_\_\_\_\_ Describe: \_\_\_\_\_

(10) Other expenses: \$\_\_\_\_\_ per \_\_\_\_\_ Describe: \_\_\_\_\_

(11) Other expenses: \$\_\_\_\_\_ per \_\_\_\_\_ Describe: \_\_\_\_\_

**H. MY DEBTS** (Regular payments owed for borrowed money)

(For example: credit cards, department stores, loan companies, banks, auto loans)

(1) Payable to:	(2) Item or Service	(3) Payment Amount	(4) Balance Due
(a) _____	_____	\$ _____ per _____	\$ _____
(b) _____	_____	\$ _____ per _____	\$ _____
(c) _____	_____	\$ _____ per _____	\$ _____
(d) _____	_____	\$ _____ per _____	\$ _____
(e) _____	_____	\$ _____ per _____	\$ _____

If you have additional debts, attach an additional page and check this box ☐**I. CURRENT SPOUSE'S INCOME** (If you are not currently married, skip to **J.**)

(1) Job / Title: _____	(2) Job / Title: _____
Gross income: \$ _____ per _____ -- Before taxes (week or month)	Gross income: \$ _____ per _____ -- Before taxes (week or month)
Net income: \$ _____ per _____ -- After taxes (week or month)	Net income: \$ _____ per _____ -- After taxes (week or month)

(3) Other Income: \$ \_\_\_\_\_ per \_\_\_\_\_ Describe source of income: \_\_\_\_\_

**J. ATTORNEY HELP**

- (Check one.) a. ☐ An attorney did not help me prepare or fill in this paper.  
b. ☐ An attorney helped me prepare or fill in this paper. (If you check b., you must fill in the following information.)

_____ (Name of attorney or organization, if any)	_____ (Attorney's P.I.N. # – Ask the attorney)		
_____ (Business address of attorney or organization)	_____ (City)	_____ (State)	_____ (ZIP Code)
(_____) _____ (Attorney's phone number – Required)	(_____) _____ (Attorney's fax number, if there is one)		



**K. OATH AND SIGNATURE**

I, \_\_\_\_\_, certify that on \_\_\_\_\_, 20\_\_\_\_\_,  
(Print your name) (Month & day) (Year)

I mailed or gave a copy of this form to the other party or the other party's attorney at this address:

\_\_\_\_\_  
(Name of person to whom I delivered or mailed it)

\_\_\_\_\_  
(Person's street address)

\_\_\_\_\_  
(City)

\_\_\_\_\_  
(State)

\_\_\_\_\_  
(ZIP Code)

I also certify under penalty of perjury and pursuant to the laws of the state of Iowa that I have read this form and that the information I have provided in it is true and correct.

(Your signature – Required) \_\_\_\_\_

\_\_\_\_\_  
(Your mailing address – Required)

\_\_\_\_\_  
(City – Required)

\_\_\_\_\_  
(State, ZIP Code – Required)

\_\_\_\_\_  
(E-mail address – Optional)

(\_\_\_\_\_) \_\_\_\_\_  
(Fax number – Optional)

<p><b>Instructions on How to Complete Form <b>FL-324</b>: Child Support Modification Financial Statement</b></p>
--

**Each party in a case involving an Application to Modify Child Support Only must complete his or her own Financial Statement form (**FL-324**)**

**Contact an attorney if one of these is true:**

- You do not know if you should use this form – OR –
- You do not understand how to use this form.

**Court staff cannot give you legal advice.**

- Court staff cannot tell you if you should use this form. They cannot tell you which boxes to check or what information you should write on the form.

**If this is the form you need:**

- Begin at the top of page 1 on the Financial Statement and fill in the information. Use the information on the following pages to help you fill in the form correctly.

**Remember:**

**Do not file these instructions with the Financial Statement.**

# How to Fill in Form **FL-324**: Child Support Modification Financial Statement

Fill out the Financial Statement as completely as you can.

## **A. IN THE DISTRICT COURT**

On the first blank print the name of the county where the Application to Modify Child Support Only was filed.

## **B. UPON THE PETITION OF**

- Enter the names of the Petitioner and Respondent as they appear on the Application.
- In the box on the right, write in the court's "Equity case number" for your case. It appears in this same location on the Application form **FL-301**. If you are not sure of the case number, you may ask the district court clerk.
- The district court clerk will stamp the date your financial statement is filed in the box that says "CLERK STAMPS HERE".

## **C. MY INCOME**

- 1. Income from my employment:** List your occupation/job title(s) and gross income (before any deductions), net income (after any deductions), and how often you are paid (weekly, monthly, etc.)
- 2. Other income:** List any other type of income or benefits you receive (but not including Social Security Disability Benefits), and how often you receive this income (weekly, monthly, etc.).
- 3. Income from Social Security Disability (SSD) Benefits:** Fill this in only if you or your child or children receive SSD benefits.

## **D. MY DEDUCTIONS**

**Only the items listed in this section are subtracted when determining net income. These are the deductions allowed by the Supreme Court.**

- 4. Tax Status:**
  - a. Check "Yes" or "No"
  - b. Check "Yes" or "No"
- 5. Exemptions:** List the appropriate number of exemptions.
  - The Iowa Child Support Guidelines allow one exemption for the parent.
  - If you are the parent receiving support, you are allowed an additional exemption for each of your children unless the court awards this exemption to the other parent.
- 6. Withholding Tax:**
  - List the amount of federal and state tax withholdings as shown on your pay stub or, if self-employed, enter the amount listed on your tax returns.

**7. FICA (Social Security & Medicare)**

- List the sum of your Social Security and Medicare tax withholdings

**8. Mandatory Pension:**

- List the amount of your required pension contributions.
- Any amount you contribute above the required amount is optional and is not allowed as a deduction.
- Examples of mandatory contributions are IPERS and TIAA/CREF.

**9. Union Dues:**

- List the amount of your union dues.

**10. Actual medical support paid for the child or children as required by court order**

- Under “Paid to:” – write in the name of the person to whom you paid medical support.
- Under “Amount:” – list the amount of medical support paid

**11. Prior court-ordered child support or alimony**

- Under “Paid to:” – write in the name of the person or agency to which payments were made.
- Under “Amount:” – list the amount of child support or alimony actually paid under a prior court order (an order filed before this action).
- If the payments were not made through the Iowa Collection Services Center, **attach proof of payments for the past 12 months.**

**NOTE:**

- The Court will calculate your deduction based upon an average of the payments for the preceding 12 months.
- Credit will not exceed the amount of your current monthly support obligation. If the order is less than 12 months old, the payments will be averaged over the number of months since the entry of the order.
- You **must attach a copy of the prior court order.**

**12. Qualified Additional Dependent Deduction:**

List the name and birth year of each child you are the legal parent of. ***Do not include any children covered by the child support order involved in this case.***

- **You must attach proof of legal responsibility for the children**, such as a marriage certificate and birth certificate, a paternity affidavit, a court order establishing paternity, the mother’s statement of maternity, or a statement made in court by the other parent admitting paternity (you can get the in-court statement from the clerk of court).

**13. Actual child care expense due to employment:**

- This deduction is for the custodial parent only.
- If you are the custodial parent of children involved in this case, list the amount of the expenses related to employment and the amount of income tax credit you claim.

**14. Extraordinary Visitation:**

- The section is for the **noncustodial parent only**.
- If you are the noncustodial parent, list the number of overnights you spend caring for the child in a year as ordered by the court.
- The noncustodial parent will receive a credit if the visitation exceeds 127 days per year, but is less than equally shared physical care (the children spend half their time with each parent).
- However, the credit will not reduce the obligation below the minimum amount required by the guidelines (\$50 for one child, \$75 for two children, \$100 for three children, or \$125 for four or more children).
- To receive this credit **you must attach a copy of the court order containing the visitation provision**.
- If the court ordered equally shared physical care, this credit does not apply.

Days	Credit
128-147	15%
148-166	20%
167 or more but less than equally shared physical care.	25%

**E. MY HEALTH INSURANCE COSTS**

- List the amount of your health insurance premium or your current spouse's health insurance premium, and
- List the cost of a family insurance policy, and
- List the cost of a single insurance policy.

**F. MY ASSETS****16. Checking and savings:**

- List the amount in your savings and checking account(s) and the name of the bank(s).

**17. Real Estate:**

- List the address of the real estate you own.
- List the purchase price of the real estate and the amount you still owe on that property.

**18. Stocks and Bonds:**

- List the value of any stocks and bonds in which you own an interest.

**19. Vehicles**

- List the type, year, make, and model of your vehicle(s) (*cars, trucks, motorcycles, boats*):

## **G. MY EXPENSES**

- Expenses: List your living expenses.

## **H. MY DEBTS/INSTALLMENT PAYMENTS**

- List the names of your creditor(s) – those to whom you owe money, the item purchased, the payment amount, and the remaining balance (the amount you still owe).

## **I. CURRENT SPOUSE'S INCOME**

- List your current spouse's job title(s), gross income, net income (after deductions), and income from other sources.
- This information **will not** be used to determine your child support obligation.

## **J. ATTORNEY HELP**

You should check one of these boxes.

- a. Check this box if an attorney did not help you decide which boxes to check or what to write in any of the spaces on the form.
- b. Check this box if an attorney did help you decide which boxes to check or what to write in any of the spaces on the form. If you check "b," you **must** fill in the information on the lines below "b." If you do not know what to write in these lines, contact the attorney who helped you with the form.

## **K. OATH AND SIGNATURE**

- Fill in the date you mailed or gave a copy of the Financial Statement to the other party and sign the form at the bottom.
- Fill in the name and address where you sent the copy of the Financial Statement.

**By signing this form you are stating that the information on this form is true. The court may punish you if you lie on this form.**

### **Checklist of things you should do after you complete the Financial Statement:**

- ☐ Carefully check your Financial Statement form. Be sure you have answered all questions.
- ☐ Make at least three photocopies of the original form (enough for each person who needs one).
- ☐ Take the original and the copies to the district court clerk's office. Ask the clerk to time-stamp all of them. The clerk will keep the original and give the copies back to you. Keep one for your records.
- ☐ Promptly after you leave the district court clerk's office, deliver (by mail or in-person) one copy to the other parent or that person's attorney.

☐ If the Child Support Recovery Unit (CSRU) is involved in your case, you must also deliver (by mail or in-person) a copy of your Financial Statement to the CSRU. See the *Guide for Representing Yourself in an Iowa Court to Modify Child Support Only* (part **G**) for information on how to serve these forms on the CSRU.

**Remember: Do not give these instructions to the Clerk of District Court.**

**FL-325 AFFIDAVIT OF MAILING NOTICE****PRINT CLEARLY**

**A. IN THE DISTRICT COURT FOR** \_\_\_\_\_ **COUNTY, IOWA**  
(County where the Application is filed)

**B. UPON THE PETITION OF**

Equity case number:

**Affidavit of Mailing Notice**  
(CLERK STAMPS HERE)

\_\_\_\_\_  
**PETITIONER** (As it is in the Application)

VS

\_\_\_\_\_  
**RESPONDENT** (As it is in the Application)

**C. ATTORNEY HELP**

- (Check one.) a. ☐ An attorney did not help me prepare or fill in this paper.  
b. ☐ An attorney helped me prepare or fill in this paper. (If you check b., you must fill in the following information.)

\_\_\_\_\_  
(Name of attorney or organization, if any)

\_\_\_\_\_  
(Attorney's P.I.N. # – Ask the attorney)

\_\_\_\_\_  
(Business address of attorney or organization)

\_\_\_\_\_  
(City)

\_\_\_\_\_  
(State)

\_\_\_\_\_  
(ZIP Code)

(\_\_\_\_\_)\_\_\_\_\_  
(Attorney's phone number – required)

(\_\_\_\_\_)\_\_\_\_\_  
(Attorney's fax number, if there is one)

**D. OATH AND SIGNATURE**

I, the undersigned, certify under penalty of perjury and pursuant to the laws of the state of Iowa that on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, I sent by ordinary mail, with proper postage affixed, the following paper or papers (check each that applies):

☐ Notice of Intent to File a Written Application for Default Decree

☐ Other document (describe): \_\_\_\_\_

to the other party at his or her last known address as follows:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP Code: \_\_\_\_\_

My signature: \_\_\_\_\_

**Notice to the Applicant:** You *must* file this form at the district court clerk's office if you ask the court for a final Decree for Modification of Child Support Only by default.



**FL-326** NOTICE OF INTENT TO FILE WRITTEN APPLICATION FOR DEFAULT DECREE

**PRINT CLEARLY**

**A.** IN THE DISTRICT COURT FOR \_\_\_\_\_ COUNTY, IOWA  
(County where the Application is filed)

**B.** UPON THE PETITION OF

\_\_\_\_\_  
PETITIONER (As it is in the Application)

VS

\_\_\_\_\_  
RESPONDENT (As it is in the Application)

Equity case number:

\_\_\_\_\_  
**Notice of Intent to File an  
Application for  
Default Decree**  
(CLERK STAMPS HERE)

**C.**

TO: \_\_\_\_\_  
(Other party's name: first, middle, last)

DATE OF NOTICE: \_\_\_\_\_

**IMPORTANT NOTICE**

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO TAKE ACTION REQUIRED OF YOU IN THIS CASE. UNLESS YOU ACT WITHIN **TEN DAYS** FROM THE DATE OF THIS NOTICE, A DEFAULT DECREE OF CHILD SUPPORT MODIFICATION WILL BE ENTERED AGAINST YOU WITHOUT A HEARING, AND YOU MAY LOSE IMPORTANT RIGHTS. YOU SHOULD SEEK LEGAL ADVICE AT ONCE.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City

\_\_\_\_\_  
State

\_\_\_\_\_  
ZIP Code

\_\_\_\_\_  
Telephone Number

**Instructions for the Applicant:**

- (1) Deliver a copy of this form to the other party by mail or in-person.
- (2) Complete an Affidavit of Mailing Notice (**FL-325**) and file the original at the district court clerk's office.
- (3) File the original of this form (**FL-326**) at the district court clerk's office.
- (4) Keep a copy of each form for your records.

**PRINT CLEARLY**

**A.** IN THE DISTRICT COURT FOR \_\_\_\_\_ COUNTY, IOWA  
(County where the Application was filed)

**B.** UPON THE PETITION OF

\_\_\_\_\_  
\_\_\_\_\_  
**PETITIONER** (As it is in the application)

VS

\_\_\_\_\_  
**RESPONDENT** (As it is in the application)

Equity case number:

Request for Relief in an  
Application to Modify  
Child Support Only  
(CLERK STAMPS HERE)

**C. PERSONAL INFORMATION**

**1.** Mother: \_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Present street address) (City) (State) (ZIP Code)

\_\_\_\_\_  
(County) (Year of birth)

**2.** Father: \_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Present street address) (City) (State) (ZIP Code)

\_\_\_\_\_  
(County) (Year of birth)

**3.** Person -- other than a parent -- who is receiving child support in this case:

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Present street address) (City) (State) (ZIP Code)

\_\_\_\_\_  
(County) (Year of birth)

**D. REQUEST FOR RELIEF****4. Child Support** (Check all that are true and fill in the blanks for the ones you check.)

- a. ☐ Child support should be raised from \$\_\_\_\_\_ per month to \$\_\_\_\_\_ per month beginning on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ for (list the children and birth year):

<u>First, middle &amp; last initials of each child</u>	<u>Year of birth</u>	<u>First, middle &amp; last initials of each child</u>	<u>Year of birth</u>
(1) _____	_____	(5) _____	_____
(2) _____	_____	(6) _____	_____
(3) _____	_____	(7) _____	_____
(4) _____	_____	(8) _____	_____

- b. ☐ Child support should be lowered from \$\_\_\_\_\_ per month to \$\_\_\_\_\_ per month beginning on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ for (list the children and birth year):

<u>First, middle &amp; last initials of each child</u>	<u>Year of birth</u>	<u>First, middle &amp; last initials of each child</u>	<u>Year of birth</u>
(1) _____	_____	(5) _____	_____
(2) _____	_____	(6) _____	_____
(3) _____	_____	(7) _____	_____
(4) _____	_____	(8) _____	_____

- c. ☐ Check here if you want child support to be higher or lower than the Child Support Guidelines amount. (If you check this, write the amount you want and explain why.)

(1) Amount requested: \$\_\_\_\_\_ per month

(2) Why it should be different than the Guidelines amount: \_\_\_\_\_

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- d. ☐ Child support should be stopped beginning on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, for (list the children and birth year):

<u>First, middle &amp; last initials of each child</u>	<u>Year of birth</u>	<u>First, middle &amp; last initials of each child</u>	<u>Year of birth</u>
(1) _____	_____	(5) _____	_____
(2) _____	_____	(6) _____	_____
(3) _____	_____	(7) _____	_____
(4) _____	_____	(8) _____	_____

**5. Tax dependency deduction** (Check the one that is true; if you check c. -- fill in the blanks.)

- a. ☐ There is no court order at this time on tax dependency deduction.  
b. ☐ A court order currently says who gets the tax dependency deduction for the child or children and it should stay the same.  
c. ☐ A court order currently says who gets the tax dependency deduction for the child or children and it should be changed to the following:

	<u>First, middle &amp; last initials of each child</u>	<u>Year of birth</u>	<u>Parent who will now claim child for the tax deduction</u>
(1)	_____	_____	_____
(2)	_____	_____	_____
(3)	_____	_____	_____
(4)	_____	_____	_____
(5)	_____	_____	_____
(6)	_____	_____	_____

If there are more than six children, attach an additional sheet with this information – and check this box. ☐

**6. Health insurance or cash medical support** (Check the one that is true.)

- a. ☐ There is no court order at this time on who pays health insurance or cash medical support.  
b. ☐ A court order currently says who pays for health insurance or cash medical support for the child or children and it should stay the same.  
c. ☐ A court order currently says who pays for health insurance or cash medical support for the child or children and it should be changed to the following:

	<u>First, middle &amp; last initials of each child</u>	<u>Year of birth</u>	<u>Parent who should now provide health insurance coverage</u>
(1)	_____	_____	_____
(2)	_____	_____	_____
(3)	_____	_____	_____
(4)	_____	_____	_____
(5)	_____	_____	_____
(6)	_____	_____	_____

If there are more than six children, attach an additional sheet with this information – and check this box. ☐

(Fill in the blanks of all that apply.)

I should pay \_\_\_\_\_% of the out-of-pocket health care expenses.

The other parent should pay \_\_\_\_\_% of the out-of-pocket health care expenses.

I should pay \$\_\_\_\_\_ in cash medical support.

The other parent should pay \$\_\_\_\_\_ in cash medical support.

**7. Court Fees** (*Check one.*)

- a. ☐ All court fees should be paid by me.  
b. ☐ All court fees should be paid by the other parent.  
c. ☐ The other parent and I should pay one-half of the remaining court fees.  
d. ☐ The other parent and I should pay one-half of the total court fees.

**8. Attorney's Fee.** (*Check one.*)

- a. ☐ I have no attorney's fees  
b. ☐ I will pay my own attorney's fees  
c. ☐ I ask that the other parent pay me \$\_\_\_\_\_ for attorney's fees.

**9. Necessary Documents.** I ask that the court require each of us to sign and deliver to each other any papers that may be needed to carry out the terms of the order.

**10. Other Request for Relief** (*Attach additional sheets if necessary.*)

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**11. Statements of Understanding and Fact** (*Check all that apply.*)

- a. ☐ I have made a full disclosure of my income to the court.  
b. ☐ This request for relief addresses all issues in the Application to Modify Child Support Only.  
c. ☐ I want this Request for Relief to be approved by the court and made part of the final order.

**E. ATTORNEY HELP**

- (*Check one.*) a. ☐ An attorney did not help me prepare or fill in this paper.  
b. ☐ An attorney helped me prepare or fill in this paper. (*If you check b., you must fill in the following information.*)

_____ (Name of attorney or organization, if any)	_____ (Attorney's P.I.N. # – Ask the attorney)
_____ (Business address of attorney or organization)	_____ (City)
	_____ (State)
	_____ (ZIP Code)
(_____)_____ (Attorney's phone number – Required)	(_____)_____ (Attorney's fax number, if there is one)

**F. OATH AND SIGNATURE**

I, \_\_\_\_\_, certify that on \_\_\_\_\_, 20\_\_\_\_\_,  
(Print your name) (Month & day) (Year)

I mailed or gave a copy of this form to all other parties and attorneys (*list the names*):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I also certify under penalty of perjury and pursuant to the laws of the state of Iowa that I have read the "Request for Relief" above and it accurately states how I would like the court to address the issues in the Application to Modify Child Support Only. I ask that this document be presented to a judge for approval and filing with the court.

(Your signature - Required) \_\_\_\_\_

\_\_\_\_\_  
(Your mailing address - Required) (City - Required) (State, ZIP Code - Required)

\_\_\_\_\_  
(E-mail address - Optional) (\_\_\_\_\_) (Fax number - Optional)

## **Instructions for Completing a Request for Relief in an Application to Modify Child Support Only (FL-327)**

### **Use this form only if:**

- You have already filed an Application to Modify Child Support Only – AND:
  - The other parent did not file an Answer to the Application – **OR** –
  - The other parent will not work with you to fill in **FL-328** (Settlement Agreement for an Application to Modify Child Support Only).
- There is a current Iowa child support order in effect
- You would like to increase, decrease or stop child support

### **Do not use this form if:**

- There is a court order that sets up custody and you need to change that order

### **Contact an attorney if one of these is true:**

- You do not know if you should use this form – OR –
- You do not understand how to use this form.

### **Court staff cannot give you legal advice.**

- Court staff cannot tell you if you should use this form. They cannot tell you which boxes to check or what information you should write on the form.

### **If this is the form you need:**

- Begin at the top of page 1 on the Request for Relief and fill in the information. Use the information on the following pages to help you fill in the form correctly.

### **Print clearly when you write information on form **FL-327**.**

### **Do not file or give these instructions to the district court clerk's office.**

## How to Fill In Form **FL-327**

### **Part A. IN THE DISTRICT COURT**

- On the first line print the name of the county where the Application was filed.

### **Part B. UPON THE PETITION**

- Fill in the lines in part **B** as they appear on the Application form (**FL-301**).
- In the box on the right, write in the court's "Equity case number" for your case. It appears in this same location on the Application form (**FL-301**). If you don't know the Equity case number, you may ask the district court clerk.
- The district court clerk will stamp the date your Request for Relief is filed under "Clerk Stamps Here."

### **Part C. PERSONAL INFORMATION**

**If you have been assaulted by the other parent and you fear for your safety, you may leave your address and phone number blank.**

- 1.** On the blank write in the Mother's name, present address, city, state, ZIP Code, county, and year of birth. Make sure the information is correct.
- 2.** On the blank write in the Father's name, present address, city, state, ZIP Code, county, and year of birth. Make sure the information is correct.
- 3.** If a person has been named in section **C. 3.** of the Application form (**FL-301**), on the blank write in that person's name, present address, city, state, ZIP Code, county, and year of birth. Make sure the information is correct.

### **Part D. REQUEST FOR RELIEF**

#### **4. Child Support.**

- If you are requesting that the court raise (increase) child support, check the box.
  - In the first blank space: fill in the current child support amount per month.
  - In the second blank space: fill in the new dollar amount of child support.
  - Fill in the day, month, and year you want the new child support amount to start
  - List the initials and year of birth for each child to whom this change in child support should apply.
- If you are requesting that the court lower (decrease) child support, check the box.
  - In the first blank space: fill in the current child support amount per month.
  - In the second blank space: fill in the new dollar amount of child support.
  - Fill in the day, month, and year you want the new child support amount to start.
  - List the initials and year of birth for each child to whom this change in child support should apply.



- c. If you are asking for an amount of child support that is either higher or lower than the amount the court would order based on the Child Support Guidelines, check the box.
- (1) Fill in the amount of child support you are requesting
  - (2) Explain why you think it should be higher or lower than the amount in the Child Support Guidelines.
- d. If you are requesting that the court stop (terminate) child support, check the box.
- Fill in the day, month, and year you want the child support payments to stop.
  - List the initials and year of birth for each child for whom child support payments should stop.

**5. Tax Dependency Deduction.**

- a. If this is true, check the box.
- b. If this is true, check the box.
- c. If this is true, check the box.
- List the child or children (by initials only) and year of birth
  - For each child, list which parent will claim that child for the tax deduction

**6. Health Care Expenses.**

- a. If this is true, check the box.
- b. If this is true, check the box.
- c. If this is true, check the box.
- List the child or children (by initials only) and year of birth
  - For each child, list which parent will now provide health insurance or cash medical support
  - Fill in the percentage of out-of-pocket health care expenses to be paid by Mother
  - Fill in the percentage of out-of-pocket health care expenses to be paid by Father

**7. Court Fees.** You may check only one of these to tell the court what you want.

- a. If this is true, check the box.
- b. If this is true, check the box.
- c. If this is true, check the box.
- d. If this is true, check the box.

**8. Attorney Fees.** You may check only one of these to tell the court what you want.

- a. If this is true, check the box.
- b. If this is true, check the box.
- c. If this is true, check the box. Fill in the dollar amount you want to be paid by the other parent.

**9. Necessary Documents.** This statement is required. You do not have to write anything else here.

**10. Other Request for Relief.** If you want something else that is not covered in the rest of the Request for Relief, write a brief description of what you want in the space provided.

**11. Statements of Understanding and Fact.** Check all that are true.

- a. If this is true, check the box.
- b. If this is true, check the box.
- c. If this is true, check the box.

**Part E. ATTORNEY HELP**

You should check one of these boxes.

- a. Check this box if an attorney did not help you decide which boxes to check or what to write in any of the spaces on the form.
- b. Check this box if an attorney did help you decide which boxes to check or what to write in any of the spaces on the form. If you check “b,” you **must** fill in the information on the lines below “b.” If you do not know what to write in these lines, contact the attorney who helped you with the form.

**Part F. OATH AND SIGNATURE**

Fill in all the blank lines in section **F.**

By signing this form you are stating that the information on this form is true. **The court may punish you if you lie on this form.**

**Checklist of things you should do after you complete the Request for Relief:**

- ☐ Carefully check your Request for Relief form. Be sure you have answered all questions.
- ☐ Make at least three photocopies of the original form (enough for each person who needs one).
- ☐ Take the original and the copies to the district court clerk’s office; ask the clerk to time-stamp all of them. The clerk will keep the original and give the copies back to you. Keep one for your records.
- ☐ Ask the district court clerk to give the Request for Relief to a judge for approval (or to set a hearing date when you can meet with a judge to discuss your Request for Relief).
- ☐ Promptly after you leave the district court clerk’s office, deliver (by mail or in-person) one copy to the other parent or that person’s attorney.
- ☐ If the Child Support Recovery Unit (CSRU) is involved in your case, you must also deliver (by mail or in-person) to the CSRU a copy of the Request for Relief form **FL-327**. See the *Guide for Representing Yourself in an Iowa Court to Modify Child Support Only* (page 9 and part **G.**) for information on how to serve these forms on the CSRU.

**Remember: Do not give these instructions to the Clerk of District Court.**

**PRINT CLEARLY**

**A.** IN THE DISTRICT COURT FOR \_\_\_\_\_ COUNTY, IOWA  
(County where the Application was filed)

**B.** UPON THE PETITION OF

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PETITIONER** (As it is in the application)

**VS**

\_\_\_\_\_  
**RESPONDENT** (As it is in the application)

**Equity case number:**

**Settlement Agreement for an  
Application to Modify  
Child Support Only  
(CLERK STAMPS HERE)**

**C. PERSONAL INFORMATION**

**1.** Mother: \_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Present street address) (City) (State) (ZIP Code)

\_\_\_\_\_  
(County) (Year of birth)

**2.** Father: \_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Present street address) (City) (State) (ZIP Code)

\_\_\_\_\_  
(County) (Year of birth)

**3.** Person -- other than a parent -- who is receiving child support in this case:

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Present street address) (City) (State) (ZIP Code)

\_\_\_\_\_  
(County) (Year of birth)

**D. AGREEMENT****4. Child Support** (Check all that are true and fill in the blanks for the ones you check.)

- a. ☐ Child support should be raised from \$\_\_\_\_\_ per month to \$\_\_\_\_\_ per month beginning on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ for (list the children and birth year):

<u>First, middle &amp; last initials of each child</u>	<u>Year of birth</u>	<u>First, middle &amp; last initials of each child</u>	<u>Year of birth</u>
(1) _____	_____	(5) _____	_____
(2) _____	_____	(6) _____	_____
(3) _____	_____	(7) _____	_____
(4) _____	_____	(8) _____	_____

- b. ☐ Child support should be lowered from \$\_\_\_\_\_ per month to \$\_\_\_\_\_ per month beginning on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ for (list the children and birth year):

<u>First, middle &amp; last initials of each child</u>	<u>Year of birth</u>	<u>First, middle &amp; last initials of each child</u>	<u>Year of birth</u>
(1) _____	_____	(5) _____	_____
(2) _____	_____	(6) _____	_____
(3) _____	_____	(7) _____	_____
(4) _____	_____	(8) _____	_____

- c. ☐ Check here if you want child support to be higher or lower than the Child Support Guidelines amount. (If you check this, write the amount you want and explain why.)

(1) Amount requested: \$\_\_\_\_\_ per month

(2) Why it should be different than the Guidelines amount: \_\_\_\_\_

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- d. ☐ Child support should be stopped beginning on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, for (list the children and birth year):

<u>First, middle &amp; last initials of each child</u>	<u>Year of birth</u>	<u>First, middle &amp; last initials of each child</u>	<u>Year of birth</u>
(1) _____	_____	(5) _____	_____
(2) _____	_____	(6) _____	_____
(3) _____	_____	(7) _____	_____
(4) _____	_____	(8) _____	_____

**5. Tax dependency deduction** (*Check the one that is true; if you check c. -- fill in the blanks.*)

- a. ☐ There is no court order at this time on tax dependency deduction.
- b. ☐ A court order currently says who gets the tax dependency deduction for the child or children and it should stay the same.
- c. ☐ A court order currently says who gets the tax dependency deduction for the child or children and it should be changed to the following:

	<u>First, middle &amp; last initials of each child</u>	<u>Year of birth</u>	<u>Parent who will now claim child for the tax deduction</u>
(1)	_____	_____	_____
(2)	_____	_____	_____
(3)	_____	_____	_____
(4)	_____	_____	_____
(5)	_____	_____	_____
(6)	_____	_____	_____

*If there are more than six children, attach an additional sheet with this information – and check this box.* ☐

**6. Health care expenses** (*Check the one that is true.*)

- a. ☐ There is no court order at this time on who pays health insurance or cash medical support.
- b. ☐ A court order currently says who pays for health care insurance or cash medical support for the child or children and it should stay the same.
- c. ☐ A court order currently says who pays for health care insurance or cash medical support for the child or children and it should be changed to the following:

	<u>First, middle &amp; last initials of each child</u>	<u>Year of birth</u>	<u>Parent who should now provide health insurance coverage</u>
(1)	_____	_____	_____
(2)	_____	_____	_____
(3)	_____	_____	_____
(4)	_____	_____	_____
(5)	_____	_____	_____
(6)	_____	_____	_____

*If there are more than six children, attach an additional sheet with this information – and check this box.* ☐

*(Fill in the blanks.)*

The mother should pay \_\_\_\_\_% of the out-of-pocket health care expenses.

The father should pay \_\_\_\_\_% of the out-of-pocket health care expenses.

The mother should pay \$\_\_\_\_\_ in cash medical support.

The father should pay \$\_\_\_\_\_ in cash medical support.

**7. Court Fees** (*Check one.*)

- a. ☐ All court fees will be paid by the mother.  
b. ☐ All court fees will be paid by the father.  
c. ☐ Each parent shall pay one-half of the remaining court fees.  
d. ☐ Each parent shall pay one-half of the total court fees.

**8. Attorney's Fee.**

a. Mother's attorney's fees. (*Check one.*)

- (1) ☐ Mother has no attorney's fees  
(2) ☐ Mother will pay her own attorney's fees  
(3) ☐ Father will pay \$\_\_\_\_\_ for Mother's attorney's fees.

b. Father's attorney's fees. (*Check one.*)

- (1) ☐ Father has no attorney's fees  
(2) ☐ Father will pay his own attorney's fees  
(3) ☐ Mother will pay \$\_\_\_\_\_ for Father's attorney's fees.

**9. Necessary Documents.** We will sign and promptly deliver to each other any papers that may be needed to carry out this agreement.

**10. Other Agreements** (*Attach additional sheets if necessary.*)

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**11. Statements of Understanding and Fact** (*Check all that apply.*)

- a. ☐ We have made a full disclosure of our income to the court.  
b. ☐ This Settlement Agreement addresses all issues in the application to modify child support only.  
c. ☐ We want this request to be approved by the court and made part of the final order.

**E. ATTORNEY HELP**

- 12. Mother** (*Check one.*) a. ☐ An attorney did not help me prepare or fill in this paper.  
b. ☐ An attorney helped me prepare or fill in this paper. (*If you check b., you must fill in the following information.*)

_____ (Name of attorney or organization, if any)	_____ (Attorney's P.I.N. # – Ask the attorney)		
_____ (Business address of attorney or organization)	_____ (City)	_____ (State)	_____ (ZIP Code)
(_____)_____ (Attorney's phone number – Required)	(_____)_____ (Attorney's fax number, if there is one)		

- 13. Father** (Check one.) a. ☐ An attorney did not help me prepare or fill in this paper.  
b. ☐ An attorney helped me prepare or fill in this paper. (If you check b., you must fill in the following information.)

_____ (Name of attorney or organization, if any)	_____ (Attorney's P.I.N. # – Ask the attorney)		
_____ (Business address of attorney or organization)	_____ (City)	_____ (State)	_____ (ZIP Code)
(_____)_____ (Attorney's phone number – Required)	(_____)_____ (Attorney's fax number, if there is one)		

## **F. OATH AND SIGNATURE**

This Settlement Agreement addresses all issues in the Application to Modify Child Support Only. We have made a full disclosure of our income to each other. We want this agreement to be approved by the court and made part of the final order.

### **Mother's Oath and Signature:**

I certify under penalty of perjury and pursuant to the laws of the state of Iowa that I have read the "Settlement Agreement" above and it accurately states how I would like the court to address the issues in the Application to Modify Child Support Only. I know I have the right to talk to an attorney about this agreement. I am voluntarily signing this agreement. I am asking that this document be presented to a Judge for approval and filing with the court.

_____ Date signed	_____ Mother's signature
_____ Date signed	_____ Mother's printed name

### **Father's Oath and Signature:**

I certify under penalty of perjury and pursuant to the laws of the state of Iowa that I have read the "Settlement Agreement" above and it accurately states how I would like the court to address the issues in the Application to Modify Child Support Only. I know I have the right to talk to an attorney about this agreement. I am voluntarily signing this agreement. I am asking that this document be presented to a Judge for approval and filing with the court.

_____ Date signed	_____ Father's signature
_____ Date signed	_____ Father's printed name

**STOP! If the Child Support Recovery Unite (CSRU) is involved in this case, or if a person other than a parent receives child support in this case, he or she must sign this form (see below).**

**Signature of Person Other than a Parent:**

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*Signature – Person other than parent*

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*Date signed*

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*Printed name*

**Signature of CSRU Representative:**

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*Signature – CSRU representative*

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*Date signed*

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*Printed name*



## **Instructions on How to Complete a Settlement Agreement for an Application to Modify Child Support Only (FL-328)**

### **Use this form only if all of these are true:**

- There is a current Iowa child support order in effect
- You would like to increase, decrease or stop child support
- You have already filed an Application to Modify Child Support Only
- You and the other parent both agree to this Settlement Agreement.

### **Do not use this form if:**

- There is a court order that sets up custody and you need to change that order

### **Contact an attorney if one of these is true:**

- You do not know if you should use this form – OR –
- You do not understand how to use this form.

### **Court staff cannot give you legal advice.**

- Court staff cannot tell you if you should use this form. They cannot tell you which boxes to check or what information you should write on the form.

### **If this is the form you need:**

- Begin at the top of page 1 on the Settlement Agreement and fill in the information. Use the information on the following pages to help you fill in the form correctly.

### **Print clearly when you write information on form FL-328.**

### **It is illegal to sign another person's signature on any court form.**

### **Do not file or give these instructions to the district court clerk's office.**

## How to Fill in Form **FL-328**

### **Part A. IN THE DISTRICT COURT**

- On the first line print the name of the county where the Application was filed.

### **PART B. UPON THE PETITION**

- Fill in the lines in part **B** as they appear on the Application form (**FL-301**).
- In the box on the right, write in the court's "Equity case number" for your case. It appears in this same location on the Application form (**FL-301**). If you don't know the equity case number, you may ask the district court clerk.
- The district court clerk will stamp the date your Settlement Agreement is filed under "Clerk Stamps Here."

### **Part C. PERSONAL INFORMATION**

► **If you have been assaulted by the other parent and you fear for your safety, you may leave your address and phone number blank.**

- 1.** On the blank write in the Mother's name, present address, city, state, ZIP Code, county, and year of birth. Make sure the information is correct.
- 2.** On the blank write in the Father's name, present address, city, state, ZIP Code, county, and year of birth. Make sure the information is correct.
- 3.** If a person has been named in section **C. 3.** of the Application form (**FL-301**), on the blank write in that person's name, present address, city, state, ZIP Code, county, and year of birth. Make sure the information is correct.

### **Part D. AGREEMENT**

#### **4. Child Support.**

- a. If you are requesting that the court raise (increase) child support, check the box.
  - In the first blank space: fill in the current child support amount per month.
  - In the second blank space: fill in the new dollar amount of child support.
  - Fill in the day, month, and year you want the new child support amount to start.
  - List the initials and year of birth for each child to whom this change in child support should apply.
- b. If you are requesting that the court lower (decrease) child support, check the box.
  - In the first blank space: fill in the current child support amount per month.
  - In the second blank space: fill in the new dollar amount of child support.
  - Fill in the day, month, and year you want the new child support amount to start.
  - List the initials and year of birth for each child to whom this change in child support should apply.

- c. If you are asking for an amount of child support that is either higher or lower than the amount the court would order based on the Child Support Guidelines, check the box.
- (1) Fill in the amount of child support you are requesting
  - (2) Explain why you think it should be higher or lower than the amount in the Child Support Guidelines.
- d. If you are requesting that the court stop (terminate) child support, check the box.
- Fill in the day, month, and year you want the child support payments to stop.
  - List the initials and year of birth for each child for whom child support payments should stop.

**5. Tax Dependency Deduction.**

- a. If this is true, check the box.
- b. If this is true, check the box.
- c. If this is true, check the box.
- List the child or children (by initials only) and year of birth
  - For each child, list which parent will claim that child for the tax deduction

**6. Health Care Expenses.**

- a. If this is true, check the box.
- b. If this is true, check the box.
- c. If this is true, check the box.
- List the child or children (by initials only) and year of birth.
  - For each child, list which parent will now provide health insurance coverage.
  - Fill in the percentage of out-of-pocket health care expenses to be paid by Mother.
  - Fill in the percentage of out-of-pocket health care expenses to be paid by Father.

**7. Court Fees.** You may check only one of these to tell the court what you want.

- a. If this is true, check the box.
- b. If this is true, check the box.
- c. If this is true, check the box.
- d. If this is true, check the box.

**8. Attorney Fees.**

- a. Mother's attorney fees. You may *check only one* of these:
- (1) If this is true, check the box.
  - (2) If this is true, check the box.
  - (3) If this is true, check the box and fill in the dollar amount to be paid by Father.
- b. Father's attorney fees. You may *check only one* of these:
- (1) If this is true, check the box.
  - (2) If this is true, check the box.
  - (3) If this is true, check the box and fill in the dollar amount to be paid by Mother.

**9. Necessary Documents.** You must do what this statement says. You do not have to write anything on the form for **9**.

**10. Other Agreements.** If Mother and Father have made other agreements that are not covered in the rest of the Settlement Agreement, write a brief description of these other agreements in the space provided.

**11. Statements of Understanding and Fact.** Check all that are true.

- a. If this is true, check the box.
- b. If this is true, check the box.
- c. If this is true, check the box.

## **Part E. ATTORNEY HELP**

You should check one of these boxes.

- a. Check this box if an attorney did not help you decide which boxes to check or what to write in any of the spaces on the form.
- b. Check this box if an attorney did help you decide which boxes to check or what to write in any of the spaces on the form. If you check “b,” you **must** fill in the information on the lines below “b.” If you do not know what to write in these lines, contact the attorney who helped you with the form.

## **Part F. OATH AND SIGNATURE**

Mother should sign her name on the line provided, then print her name on the line below it.

Father should sign his name on the line provided, then print his name on the line below it.

**By signing this form you are stating that the information on this form is true. The court may punish you if you lie on this form.**

### **Checklist of things you should do after you complete the Settlement Agreement:**

- ☐ Carefully check your Settlement Agreement form. Be sure you have answered all questions.
- ☐ Make four photocopies of the original form.
- ☐ Take the original and the copies to the district court clerk’s office; ask the clerk to time-stamp all of them. The clerk will keep the original and give the copies back to you. Keep one for your records.
- ☐ Ask the district court clerk to give the Settlement Agreement to a judge for approval (or to set a hearing date when you can meet with a judge to discuss your Settlement Agreement).
- ☐ Immediately after you leave the district court clerk’s office, deliver (by mail or in-person) one copy to the other parent or his/her attorney.
- ☐ If the Child Support Recovery Unit (CSRU) is involved in your case, you must also deliver (by mail or in-person) to the CSRU a copy of the Settlement Agreement form **FL-328**. See the *Guide for Representing Yourself in an Iowa Court to Modify Child Support Only* (page 10 and part G.) for information on how to serve these forms on the other parties and the CSRU.

**Remember: Do not give these instructions to the Clerk of District Court.**